

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, RAMANKARY

Present:-Sri. Arun Kumar P, Judicial First Class Magistrate

Dated, this day the 23rd day of March, 2026.**C.C.No. 21/2025**

Complainant : State-represented by the Sub Inspector of Police, Nedumudy Police Station in crime no. 690/2024
(By A P P- Ramankary)

Accused : Gifty Raju
(By Adv. E Rafeeq)

Offence : U/ss. 281, 125 (a), 125 (b) of Bharatiya Nyaya Sanhita, 2023

Plea : Not guilty

Finding : Not guilty.

Sentence or order : Accused is acquitted u/s 278 (1) Bharatiya Nagarik Suraksha Sanhita, 2023, (BNSS) and is set at liberty.

DESCRIPTION OF THE ACCUSED:-

Sl. No	Accused	Father's name/Husband name	Occupation	Residence	Age
	Gifty Raju	w/o Manu Varghese		Eerasseril veedu, Chambakkulam PW VIII	35/24

DATE OF:-

Offence	Complaint	Appearance	Release on bail.	Commencement of trial	Close of trial	Sentence or Order.
18.08.2024	20.08.2024	29.07.2025	29.07.2025	29.07.2025	18.03.2026	23.03.2026

This case coming on this day for consideration, the court on the same day delivered the following:

JUDGMENT

This is a case charged by Sub Inspector of police, Nedumudy in crime no. 690/2024 against the accused alleging commission of offences punishable under sections 281, 125 (a), 125 (b) of Bharatiya Nyaya Samhita .

2. ***The prosecution case in brief as follows:-*** The accused had driven motor cycle bearing registration number KL-66-8246 on 18.08.2024 in a rash and negligent manner so as to endanger human life, at 08.30 am along Vysyambhagam – Manapra road near Vysyambhagam government school, had hit CW2 – Pathrose, who was walking through the road, causing him fall onto the road. As a result, he sustained deep injuries to the right eyebrow and right leg as well as fracture to the facial bones and ribs. Thereby the accused is alleged to have committed the offences punishable under sections 281, 125 (a), 125 (b) of Bharatiya Nyaya Sanhita, 2023.

3. On submission of charge sheet by the investigating officer, cognizance was taken for the offence punishable u/s. 281, 125 (a), 125 (b) of Bharatiya Nyaya Samhita , against the accused and the case was taken on file as CC. 21/2025. On issuance of summons the accused entered appearance and she was represented by a counsel. She was enlarged on bail. Copies of relevant records of prosecution case were furnished to her and thereby mandate u/s.207 of Cr.PC was duly complied with. Particulars of offences punishable under section 281,

125 (a), 125 (b) of Bharatiya Nyaya Samhita , was read over to the accused to which she pleaded not guilty and claimed to be tried.

4. From the side of prosecution, one witness were examined as PW1 and Ext. P1 was marked. Since the remaining witnesses will not improve the prosecution case, they were rightly given up by the learned Assistant Public Prosecutor.

5. As there is no incriminating evidence appeared against the accused persons, hence the examination u/s.313(1)(b) of Cr.PC is dispensed with.

6. No defence evidence.

7. Heard the learned Assistant Public Prosecutor and the learned counsel for the accused.

8. **The points that arise for determination are:-**

1. *Whether the accused had on 18.08.2024 at 09.00 pm driven KL-66-8246 number scooter in a rash or negligent manner along Alappuzha - Changanachery road so as to endanger human life and thereby committed offence punishable u/s 281 of Bharatiya Nyaya Samhita ?*
2. *Whether the accused caused hurt to CW2- Pathrose causing fracture by riding scooter in rash and negligent manner and thereby committed offence punishable u/s 125(a) of Bharatiya Nyaya Samhita ?*
3. *Whether the accused caused hurt and grievous hurt to CW2- Pathrose by driving scooter bearing registration number KL-66-8246 in a manner so rash and negligent as to endanger human life*

and thereby committed the offence punishable u/s. 125 (b) of Bharatiya Nyaya Samhita ?

4. *What is the sentence or order, if any, to be passed against the accused?*

9. **Point no.1 to 3** :- In order to avoid repetition, all these points are considered together. PW1 – Sajumon is the informant in this case. He deposed that the injured CW2- Pathrose is his father. He had identified his signature in Ext. P1 First Information Statement. He had turned hostile to the prosecution by deposing that he only has hear say knowledge about the incident. He denied that he is giving false statement before the Court. Hence, his evidence is not helpful to the prosecution.

10. The learned Assistant Public Prosecutor has rightly given up the other P witnesses since their examination will not improve the prosecution case. The learned APP is fair enough to concede that the available materials on records are not sufficient to attract the guilt of the accused. Hence, the accused is entitled to get acquitted for the offences alleged against her. These points are found against the prosecution.

12. **Point No.4:-** In view of my findings on point No. 1 to 3, the accused is found not guilty of offences punishable U/ss. 281, 125 (a), 125 (b) of Bharatiya Nyaya Samhita of the Indian penal code and is acquitted of the said offences u/s 278 (1) Bharatiya Nagarik Suraksha Sanhita, 2023, (BNSS). The bail bond

executed by her stands canceled and she is set at liberty. No material objects were produced in this case.

Dictated to the Confidential Assistant transcribed by her, corrected and pronounced by me in open court on this the 23rd day of March, 2026

sd/-

Judicial first Class Magistrate

APPENDIX

WITNESSES FOR PROSECUTION:-

PW1- Sajumon

EXHIBITS FOR PROSECUTION:-

P1. First Information Statement dated 20.08.2024 proved through PW1 on 18.03.2026.

WITNESSES FOR DEFENCE:-Nil

EXHIBITS FOR DEFENCE:- Nil

MATERIAL OBJECT:- Nil

Judicial First Class Magistrate