

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, RAMANKARY

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

Dated, this day the 16th day of May, 2026**C.C.No. 38/2021**

Complainant : State-represented by the Sub Inspector
of Police, Nedumudy Police Station in
crime no. 597/2020

(By A P P- Ramankary)

Accused no. 1 : 1.William Purushothaman
2. Abhilash @ Punnamada Abhilash

(By Adv. MM Appachankutty)

Offence : U/ss. 294(b), 323, 506 (i) r/w 34 of Indian Penal
Code.

Plea : Not guilty

Finding : Not guilty.

Sentence or order : Accused no. 1 is acquitted u/s 255 (1) Cr.PC and
is set at liberty. Charge against accused no. 2 is
abated.

DESCRIPTION OF THE ACCUSED:-

Sl. No	Accused	Father's name/Husband name	Occupation	Residence	Age
1	William Purushothaman	Purushothaman		Puthanparambu Veedu, Kainakary PW 8, Kainakary PO, Kainakary Village	30/20
2	Abhilash @ Punnamad Abhilash	Gopi		Kunnuthara Veedu, Kainakary Panchayath ward 8, Kainakary PO	

DATE OF:-

Offence	Complaint	Appearance	Release on bail.	Commence-ment of trial	Close of trial	Sentence or Order.
25.12.2020	26.12.2020	08.08.2023	08.08.2023	20.05.2024	13.05.2026	16.05.2026

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

J U D G M E N T

This is a case charged by Sub Inspector of police, Nedumudy in crime no. 597/2020 against the Accused no. 1 alleging commission of offences punishable under sections 294(b), 323, 506 (i) r/w 34 of Indian Penal Code.

2. ***The prosecution case in brief as follows:-*** The accused persons in furtherance of their common intention, due to enmity towards the informant – Anoop with the intention to cause hurt on 25.12.2020 at 06.00 pm near Vellamathra road at Kainakary Village, the first accused uttered obscene words against the informant and threatened him to kill. At that time the second accused slapped on his cheek. Hence the accused are alleged to have committed the offenses under sections 294(b), 323, 506 (i) r/w 34 of Indian Penal Code.

3. On submission of charge sheet by the investigating officer, cognizance was taken for the offence punishable u/s.294(b), 323, 506 (i) r/w 34 of Indian Penal Code, 1860 against the accused and the case was taken on file as CC. 38/2021. On issuance of summons the Accused no. 1 no. 1 entered appearance and he was represented by a counsel. Copies of relevant records of prosecution case were furnished to him and thereby mandate u/s.207 of Cr.PC was duly complied with. Particulars of the offence punishable u/s. 294(b), 323, 506 (i) r/w 34 of Indian

Penal Code, 1860 and it was read over to the Accused no. 1 to which he pleaded not guilty and claimed to be tried. Accused no. 2 is no more and death certificate is produced.

4. From the side of prosecution, two witness were examined as PW1 and PW2 and two document was marked as Ext.P1 and Ext. P2. 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 no. 1 person, 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 no. 1.

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

1. *Whether the Accused no. 1 had uttered obscene words against PW1- Anoop to his annoyance at a public place and thereby committed offence punishable u/s 294(b) r/w 34 of Indian Penal Code?*
2. *Whether the second accused have voluntarily caused hurt to PW1- Anoop by slapping on his cheek and thereby committed offence punishable u/s 323 r/w 34 of Indian Penal Code, 1860?*
3. *Whether the Accused no. 1 criminally intimidated PW1- Anoop and thereby committed offence punishable u/s 506 (i) r/w 34 IPC ?*

4. *What is the order as to sentence, if any, to be passed against the Accused no. 1?*

9. **Point No.1 to 3:-** In order to avoid repetition, all these points are considered together. PW1- Anoop is the informant. He deposed in examination in chief that he got injured in the alleged incident. He deposed that he had given Ext. P1 First Information Statement and also could identify the accused person.

10. But thereafter on cross – examination he turned hostile to the prosecution by deposing that the matter is settled and he had given the name of the accused persons to the police from the information given by others. He denied that he is giving false statement before the court. Hence, his evidence is not helpful to the prosecution.

11. PW2- MJ Devasya deposed in examination in chief that he had recorded Ext. P1 First Information Statement of PW1- Anoop and based on that he had registered Ext. P2 First Information Report. His evidence is also not helpful to the prosecution.

12. Since the examination of remaining witnesses will not improve the prosecution case, they were rightly given up by the learned APP.

13. The learned APP is fair enough to concede that the available materials on record are not sufficient to bring home the guilt of the Accused no. 1 persons. From the materials submitted by the prosecution and oral evidence of the witnesses, I find that the prosecution had miserably failed to establish the offences alleged

against the Accused no. 1 persons. Hence, the points are found against the prosecution.

14. **Point No.4:-**From point no.1 to 3, it is found that the Accused no. 1 had not committed the offences alleged against him and hence he is not found guilty of offence punishable u/s. 294(b), 323, 506 (i) r/w 34 of Indian Penal Code, 1860 alleged against her. Hence, he is acquitted for the aforesaid offence u/s.255 (1) of Cr.PC. The bail bond of Accused no. 1 stands cancelled and he is set at liberty. A2 is no more and charge against him is abated.

Dictated to the Confidential Assistant transcribed by her, corrected and pronounced by me in open court on this the 16th day of Maya, 2026.

sd/-
Judicial first Class Magistrate

APPENDIX

WITNESSES FOR PROSECUTION:-

PW1. Anoop
PW2. MJ Devasya

EXHIBITS FOR PROSECUTION:-

- P1. First Information Report dated 26.12.2020 proved through PW1 on 09.10.2024.
P2. First Information Report dated 26.12.2020 proved through PW2 on 07.07.2025.

WITNESSES FOR DEFENCE:-Nil

EXHIBITS FOR DEFENCE:- Nil

MATERIAL OBJECT:- Nil

sd/-
Judicial First Class Magistrate