

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,
KATTAPPANA**

Present:- Archana John Britto, Judicial First Class Magistrate-I, Kattappana
Thursday the 04th day of June, 2026 / 14th day of Jyaishta, 1948

CC 234/2023

(Cr. No.435/2023 of Kattappana Police Station)

Complainant : State represented by the Sub Inspector of Police, Kattappana Police Station
(By Sri. Rameez Jabbar, Asst. Public Prosecutor, Kattappana)

Accused 1 : Akhil, Aged.26, S/o.Biju, Elanjickal house, Nankuthotty bhagam, Vazhavara kara, Erattayar Village

2: Sreejith, Aged.24, S/o.Biju, Elanjickal house, Nankuthotty bhagam, Vazhavara kara, Erattayar Village

3 : Vishnu, Aged.28, S/o.Sasi, Mungamackal house, Tanal site, Erattayar kara, Erattayar Village

By Adv. Mahesh M

Offence Punishable u/Ss.294(b) and 506 Part 2 r/w 34 of the IPC

Plea : Not guilty

Finding : Not guilty

Sentence or order : Accused are acquitted u/S.248(1) of the Cr.P.C.

Description of the accused					
Sl. No.	Name	Father's name	Occupation/ Calling	Residence	Age
1.	Akhil	Biju	Coolie	Erattayar	26
2.	Sreejith	Biju	Coolie	Erattayar	24
3.	Vishnu	Sasi	Coolie	Erattayar	28

Date of					
Occurrence	Complaint	Apprehension /Appearance	Release on bail	Commitment	Commencement of trial

09/04/2023	19/04/2023	08/11/2024	08/11/2024	--	29/09/2025
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Commence ment of evidence	Close of trial	Sentence or order	Service copy of judgment or finding on accused	Period of detention for the purpose of S.428 Cr.P.C.	Explanation of delay
01/06/2026	01/06/2026	04/06/2026	04/06/2026	--	--

This case having been finally heard and having stood over for consideration today, the Court delivered the following :-

J U D G M E N T

The accused persons stand indicted for the offences punishable u/Ss.294(b) and 506 Part 2 r/w 34 of the IPC. The case is taken on the file on the basis of the final report submitted by the Sub Inspector of Police, Kattappana Police Station in Cr. No. 435/2023 of that police station.

2. The case of the prosecution in nut-shell is that: - On 09/04/2023, at about 8:40 p.m., at the rock bhagam near Punnappadiyil house situated at Nankuthotty bhagam in Vazhavara kara of Erattayar Village, the accused persons, in furtherance of their common intention, uttered obscene words at PW1 and criminally intimidated him. Thereafter, all the accused persons threw stones at the dog tied in front of the house. Thus, the accused persons committed the aforesaid offences.

3. On filing the final report, the case was taken on file as CC 234/2023 and cognizance was taken for the offences u/Ss.294(b) and 506 Part 2 r/w 34 of IPC. On the receipt of summons, the accused persons appeared before the court and represented by their counsel. On their appearance they were enlarged on bail and given the copies of the records. After hearing both sides, charges were framed against the accused for the offences punishable u/Ss.294(b) and 506 Part 2 r/w 34 of

IPC. Charge was read over and explained to the accused persons to which they pleaded not guilty.

4. In order to prove the prosecution case, PW1 to PW3 were examined and Ext.P1 was marked. The remaining witnesses were given up by the prosecution. There were no incriminating circumstances brought out in evidence against the accused persons. The examination of the accused u/Ss.313(1)(b) Cr PC was dispensed with. No defence evidence was adduced.

5. Heard both sides. Perused the records.

6. The following points arise for consideration:-

1. Whether the accused persons in furtherance of their common intention uttered obscene words to PW1 and thereby committed an offence punishable under section 294(b) r/w 34 of the IPC ?
2. Whether the accused persons in furtherance of their common intention criminally intimidated PW1 and thereby committed an offence punishable under section 506 Part 2 r/w 34 of the IPC ?
3. What is the sentence or order ?

Findings on points Nos. 1 and 2 :-

7. For the sake of convenience and appreciation of evidence, these points are considered together. PW1 is the informant as well as the injured witness. Ext.P1 FIS is brought on record through PW1. PW2 and PW3 are the occurrence witness.

8. PW1 is the injured witness. PW1 admitted having given Ext.P1 FIS in respect of the incident. However PW1 did not support the prosecution case any further and turned hostile to the case of the prosecution. PW1 categorically deposed that the accused did not inflict any injury to him. According to PW1, the case is settled and he has no grievance as of now.

9. PW2 and PW3 are the occurrence witnesses. They turned against to the case of the prosecution and categorically deposed that they did not witness the incident and denied having given the statement before the Police. From the evidence of PW1 to PW3 any of the ingredients of the offence alleged by the prosecution are not seen made out. The prosecution witnesses had not adduced any incriminating evidence against the accused. So that the prosecution case fails. The prosecution failed to bring any substantive evidence against the accused. Therefore these points are answered against the prosecution.

Finding on point No.4 :-

In the result, the accused are found not guilty for the offences punishable u/Ss. 294(b) and 506 Part 2 r/w 34 of IPC and they are acquitted u/S. 248(1) of the Cr. P.C. Their bail bonds stand cancelled and they are set at liberty. Property received as PR. No.138/2023 shall be destroyed after the expiry of the appeal period.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open court on this day, the 04th day of June, 2026.

Sd/-

**JUDICIAL FIRST CLASS MAGISTRATE-I
KATTAPPANA**

APPENDIX

A – Prosecution witnesses.

Rank	Name	Whether eye-witness, police witness, expert witness, medical witness, other witness	
PW1	: Ajeshkumar	Injured witness	dated 01/06/2026
PW2	: Viji	Other witness	dated 01/06/2026
PW3	: Pennamma	Other witness	dated 01/06/2026

B- Defence witness:-

Rank	Name	Whether eye-witness, police witness, expert witness, medical witness, other witness
		:Nil

C- Court witness:-

Rank	Name	Whether eye-witness, police witness, expert :Nil witness, medical witness, other witness
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List of Prosecution/Defence/Court Exhibits**A – Prosecution Exhibits**

Sl. No.	Ext. No.	Description
1.	Ext.P1/PW1	FIS dated 17/04/2024

B- Defence Exhibits

Sl. No.	Ext. No.	Description :Nil
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C- Court Exhibits

Sl. No.	Ext. No.	Description :Nil
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D- Material Objects

Sl. No.	Material Objects	Description :Nil
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Sd/-

**JUDICIAL FIRST CLASS MAGISTRATE-I
KATTAPPANA**

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**JUDICIAL FIRST CLASS MAGISTRATE-I
KATTAPPANA**

CALENDAR AND JUDGMENT

District of Idukki Calendar of Cases tried by the Judicial Magistrate of the First Class, Kattappana.

Date of

Offence	Report or complaint	Apprehension of accused	Release on bail	Commencement of trial	Close of trial	Sentence or order	Explanation of delay and remarks
09/04/2023	19/04/2023	08/11/2024	08/11/2024	29/09/2025	01/06/2026	04/06/2026	

Judgment in Calendar Case No. **CC 234/2023** on the file of the Magistrate of the First Class-I Kattappana

Complainant: State represented by the S.I of Police Kattappana, **Cr. No.435/2023**

Sl.No.	Name	Father's name	Occupation	Residence	Age
1.	Akhil	Biju	Coolie	Erattayar	26
2.	Sreejith	Biju	Coolie	Erattayar	24
3.	Vishnu	Sasi	Coolie	Erattayar	28

Offence : u/Ss.294(b) and 506 Part 2 r/w 34 of the IPC
 Finding : Not Guilty
 Sentence or order : Accused are acquitted u/S.248(1) of the Cr.P.C.

Judicial Magistrate of the First Class-I,
Kattappana.

DOCKET

Date of Receipt..... From

Remarks of the Chief Judicial

Magistrate.....

The Judicial Magistrate of the First Class-I
Kattappana.

Date of Despatch.....

Date of Receipt.....

Reply of the.....Magistrate
Despatch.....

To

The Chief Judicial Magistrate, Date of
Thodupuzha

Date or Receipt.....

Remarks of the Chief Judicial Magistrate

Calendar Case No. **CC 234/2023**

Date of Judgment - 04/06/2026

Date of Despatch- 05/06/2026

Calendar receipt