

TABULAR STATEMENT

1. Serial. No. : C.C.No. 956/2022

2. Name of Police Station : S.H.O, Hosdurg Police Station

Description of the accused :

3.Name	4.Mother's/ Husband's Name	5.Occupation	6.Residence	7.Age
Arshad	Abdhulla	-	Kanhangad	32/'22
8.	Offence	:	u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.	
9.	Complaint	:	14.04.2022	
10.	Appearance	:		
11.	Release on bail	:	21.06.2024	
12.	Commitment	:		
13.	Commencement of trial	:		
13(a)	Commencement of evidence	:		
14.	Close of trial	:	09.06.2026	
15.	Sentence or order	:	12.06.2026	
16.	Service of a copy of judgment or finding on the accused	:	12.06.2026	
17.	Period of Detention during inquiry and trial	:		
18.	Explanation for delay	:	No sitting	

Judicial First Class Magistrate I,
Hosdurg

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

Present: Sri. Abdul Rasik.C, Judicial First Class Magistrate-I, Hosdurg

Dated this the 12th day of June, 2026/ 22nd day of Jyaishta 1947

Case No. CC 956/2022

Complainant	:	S.H.O Hosdurg Police Station, in Crime No.488/2022 (Represented by Sri. Midhun Das, APP, Gr.II)
Accused	:	Arshad, Aged 32/'22, S/o Abdhulla, Afsal Manzil, Njanikkadavu, Kanhangad Village, Kasaragod (District) Represented by Legal Aid Defense Counsel
Offences	:	u/s. 341, 323, 294(b), 506(i) of the IPC.
Plea	:	Not Guilty
Finding	:	Not Guilty
Sentence or order	:	The accused is acquitted u/s. 255(1) of Cr.P.C for the offences punishable u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.

J U D G M E N T

This is a case based on the final report submitted by Sub Inspector of Police, Hosdurg Police Station in Crime No. 488/2022 against the accused alleging the commission of the offences punishable u/s. 341, 323, 294(b), 506(i) r/w 34 of the Indian Penal Code (hereinafter the IPC).

2. **Brief facts as per the prosecution:-** On 14.04.2022, at around 15.00 hours, at Madiyan in Ajanur Village, the accused

herein and two other identified persons, in furtherance of their common intention, wrongfully restrained the informant and voluntarily caused hurt to him by beating with hands, uttered obscene words and criminally intimidated him to kill. Thereby, the accused is alleged to have committed the offences punishable under u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.

3. Having taken cognizance of aforementioned offences, the case was taken on file as CC 956/2022 and summons was issued to the accused. On appearance, the accused was represented by a counsel of his own choice and was enlarged on bail. The copies of relevant records relied upon by the prosecution were served to him. Particulars of offences u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC were stated to the accused to which he pleaded '*not guilty*' and claimed to be tried.

4. Seven witnesses were cited by the prosecution in the memorandum of evidence. Despite taking coercive steps, the presence of CW1 could not be procured. Being so, the remaining witnesses were rightly given up by the learned Assistant Public Prosecutor and prosecution evidence was closed. As no

incriminating circumstance appeared against the accused, examination under Section 313(1)(b) Cr.P.C. was dispensed with. The accused was thereafter called upon to enter on his defence, but no evidence was adduced from his side.

5. Heard both sides. Perused the records.

6. On the facts, evidence and circumstance of this case, the following points arise for consideration:-

- 1) Did the accused commit the offences punishable u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC?*
- 2) If convicted, what is the proper order as to sentence?*

7. **Point No. 1** :- The injured witness is not examined in the above case. Evenafter taking coercive steps against him, his presence could not be procured. As the material witness did not turn up, the remaining witnesses were given up by the prosecution. The prosecution has failed to prove the guilt of the accused beyond reasonable doubt. The accused is, therefore, entitled to the benefit of doubt. Accordingly, this point is found against the prosecution.

8. **Point No. 2** :- Based on the findings of this Court on point No. 1, the accused is found not guilty of the offences punishable

u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.

In the result,

1. The accused is acquitted u/s. 255(1) of Cr.P.C for the offences punishable u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.

2. The bail bond of the accused stands cancelled and he is set at liberty.

(Dictated to the Confidential Assistant typed by her, corrected and pronounced by me in open Court, this the 12th day of June, 2026)

Judicial First Class Magistrate I,
Hosdurg

APPENDIX

<u>Witnesses examined for prosecution</u>	:	Nil
<u>Exhibits marked for the prosecution</u>	:	Nil
<u>Witnesses examined for the defence</u>	:	Nil
<u>Exhibits marked for the defence</u>	:	Nil
<u>MO's marked</u>	:	Nil
<u>MO's unmarked</u>	:	Nil

Sd/-
Judicial First Class Magistrate I,
Hosdurg

//True copy//

Judicial First Class Magistrate I,
Hosdurg

Form No.48 (CRP)
CALENDAR AND JUDGMENT
District of Kasaragod Calendar of Cases tried by the Judicial First Class Magistrate-I, Hosdurg

Date of							Explanatio n of delay and remarks
Offence	Report or complaint	Apprehension of accused	Release on bail	Commencement of trial	Close of trial	Sentence of order	
14.04.22	14.04.22		21.06.24		09.06.26	12.06.26	

Judgment in Calendar Case No. 956/2022 on the file of the Judicial First Class Magistrate-I of Hosdurg.

Complainant: State, S.H.O Hosdurg P.S. Crime. No.488/2022

Name of accused	Age	Mother's/Husband's Name	Caste or religion	Calling	Residence
Arshad	32/'22	Abdulla	Muslim		Kanhangad

Offence :	u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.	Judicial First Class Magistrate-I, Hosdurg
Finding :	Not Guilty.	
Sentence:	The accused is acquitted u/s. 255(1) of Cr.P.C for the offences punishable u/s. 341, 323, 294(b), 506(i) r/w 34 of the IPC.	

DOCKET

Date of Receipt.....
Remarks of the Chief Judicial
Magistrate.....

Date of Despatch
" Receipt200.....
Reply of theMagistrate

Date of Despatch
" Receipt200.....

From

The Judicial First Class Magistrate-I,
Hosdurg.

To
The Hon'ble Chief Judicial Magistrate
Kasaragod.

Calendar Case No: CC 956/2022
Date of Judgment: 12.06.2026
Date of Despatch : 12.06.2026
Date of Calendar :

Judicial First Class Magistrate-I,
Hosdurg

Submitted: to the Hon'ble Chief Judicial Magistrate, Kasaragod