

TABULAR STATEMENT

1. Serial. No. : C.C.No. 1517/2021

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

Description of the accused :

3.Name	4.Father's/ Husband's Name	5.Occupation	6.Residence	7.Age
Sajeevan.M	Damodharan	-	Kanhangad	44/'21
8.	Offence	:	u/s. 341, 323, 324 of the IPC.	
9.	Complaint	:	25.01.2021	
10.	Appearance	:	07.02.2021	
11.	Release on bail	:	06.03.2026	
12.	Commitment	:		
13.	Commencement of trial	:	04.04.2026	
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 1517/2021

Complainant	:	S.H.O Hosdurg Police Station, in Crime No. 104/2021 (Represented by Sri. Midhun Das, APP, Gr.II)
Accused	:	Sajeevan.M, Aged 44/'21, S/o Damodharan, Marakkappu Kadappuram, Kanhangad Village Represented by Adv. P.Ramadevi, Hosdurg)
Offences	:	u/s. 341, 323, 324 of the IPC.
Plea	:	Not Guilty
Finding	:	Not Guilty
Sentence or order	:	The accused is acquitted u/s. 248(1) of Cr.P.C for the offences punishable u/s. 341, 323, 324 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. 104/2021 against the accused alleging the commission of the offences punishable u/s. 341, 323, 324 of the Indian Penal Code (hereinafter the IPC).

2. **Brief facts as per the prosecution:-** On 24.01.2021, at around 15.30 hours, at Marakkappu Kadappuram in Kanhangad Village, owing to previous animosity, the accused wrongfully restrained the informant and voluntarily caused hurt to her by beating with hands and knife. Thereby, the accused is alleged to

have committed the offences punishable u/s. 341, 323, 324 of the IPC.

3. Having taken cognizance of aforementioned offences, the case was originally taken on file as CC 654/2021. Thereafter the case was transferred to LPC register as LPC 198/205. The accused was produced on production warrant and remanded to judicial custody. Hence, the case was refiled as CC 1517/2021. Later, he 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. After hearing the prosecution and the accused and perusing the materials available before the Court, charge u/s. 341, 323, 324 of the IPC was framed, read over and explained to the accused, to which he pleaded not guilty and claimed to be tried.

4. Ten witnesses were cited by the prosecution in the memorandum of evidence. Among them CW1 was examined as PW1 and Ext. P1 was marked. Since material witness did not support the prosecution, 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 on 24.01.2021, at around 15.30 hours, at Marakkappu Kadappuram in Kanhangad Village, wrongfully restrain PW1, so as to constitute an offence punishable u/s. 341 of the IPC?*
- 2) Did the accused in the said incident, voluntarily cause hurt to PW1, so as to constitute an offence punishable u/s. 323 of the IPC?*
- 3) Did the accused in the said incident, voluntarily cause hurt to PW1 with a knife, so as to constitute an offence punishable u/s. 324 of the IPC?*
- 4) If convicted, what is the proper order as to sentence?*

7. **Points No. 1 to 3** :- PW1 is the informant and the injured witness in the above case. She testified that the alleged incident happened and that she had lodged Ext. P1, FIS. But she testified that she did not know the assailant. She further testified that the accused was stated in Ext. P1 under misunderstanding. She further deposed that the case was compromised. Though the Assistant Public Prosecutor put some questions in the nature of cross-examination to PW1, nothing was elicited to bring home the essential ingredients of the offences alleged against the accused.

As the material witnesses did not support the prosecution, the remaining witnesses were given up. The prosecution has failed to adduce any credible and cogent evidence to prove the guilt of the accused persons. The accused is, therefore, entitled to the benefit of doubt. Accordingly, these points are found against the prosecution.

8. **Point No. 4** :- Based on the findings of this Court on points No. 1 to 3, the accused is found not guilty of the offences punishable u/s. 341, 323, 324 of the IPC.

In the result,

1. The accused is acquitted u/s. 248(1) of Cr.P.C for the offences punishable u/s. 341, 323, 324 of the IPC.

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

3. Property produced as per PR No. 97/2021, being valueless shall be destroyed after the expiry of appeal period.

(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**Witnesses examined for prosecution :**

<u>Prosecution Witness No.</u>	<u>Name of Witness</u>	<u>Description</u>
PW1	Vineetha.P (CW1)	Injured witness

Exhibits marked for the prosecution:

<u>Exhibit No.</u>	<u>Date</u>	<u>Description of the Exhibit</u>	<u>Proved by/ Attested by</u>
P1	25.01.2021	First Information Statement	PW1

Witnesses examined for the defence : Nil

Exhibits marked for the defence : Nil

MO's marked : Nil

MO's unmarked :

1.Knife (PR No. 97/2021)

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							Explanation of delay and remarks
Offence	Report or complaint	Apprehension of accused	Release on bail	Commencement of trial	Close of trial	Sentence of order	
24.01.21	25.01.21	07.02.21	06.03.26	04.04.26	09.06.26	12.06.26	

Judgment in Calendar Case No. 1517/2021 on the file of the Judicial First Class Magistrate-I of Hosdurg.

Complainant: State, S.H.O Hosdurg P.S. Crime. No. 104/2021

Name of accused	Age	Father's/Husband's Name	Caste or religion	Calling	Residence
Sajeevan.M	44/'21	Damodharan	Hindu		Kanhangad

Offence :	u/s. 341, 323, 324 of the IPC.	Judicial First Class Magistrate-I, Hosdurg
Finding :	Not Guilty.	
Sentence:	The accused is acquitted u/s. 248(1) of Cr.P.C for the offences punishable u/s. 341, 323, 324 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 1517/2021
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