

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST
CLASS, KUNNAMANGALAM**

Present :- Smt. Athira. M
Judicial Magistrate of the Ist Class
Dated this the 01st day of April, 2026
C. C. 611/2003

Complainant	State represented by the Sub Inspector of Police, Medical College Police Station in Cr. No. 236/2000 (Rep. by Smt. Sinya K A.P.P. Gr. II)
Accused	Sulaiman, Aged 20/2000 S/o Imbichammad, Madathil, Nellikode, Kovoov, Kozhikode (Adv. C P Abdul Rafeek)
Offence	U/s. 143, 147, 148, 427, 324 r/w 149 IPC
Plea	Not guilty
Finding	Not guilty
Sentence/Order	Accused is acquitted u/s 248(1) of Cr P C for the offence punishable u/s 143, 147, 148, 427, 324 r/w 149 IPC.

DESCRIPTION OF THE ACCUSED

Sl. No.	Name and Rank	Father's name	Occupation	Residence	Age
1	Sulaiman	Imbichali	--	Nellikode	20

Date of :-

Offence		Complaint		Apprehension		Released on Bail	
28-09-2000		29-09-2000		27-01-25		27-01-25	
Commence ment of trial	Commencem ent of evidence	Close of trial		Sentence/ Order		Period of detention undergone during investigation, inquiry or trial, for the purpose of	

				Sec. 428 Cr.P.C.
05-06-25	07-11-25	17-03-26	01-04-26	Nil

This case having been finally heard, this Court on 01-04-26 delivered the following:-

J U D G E M E N T

This is a case charge sheeted by the Sub Inspector of Police, Medical College Police Station in Crime No.236/2000 alleging the offence punishable under sections 143, 147, 148, 427, 324 r/w 149 of the Indian Penal Code, 1860 (hereinafter referred to as the IPC).

2. The prosecution case in brief are as follows: - On 28.09.2000, at about 20.30 hours, the accused persons by forming an unlawful assembly with common object armed with deadly weapons assaulted him from Kovoov as a result of which he sustained serious injuries. Therefore, the accused are said to have committed the offences punishable under sections 143, 147, 148, 427, 324 r/w 149 of IPC.

3. Upon filing the charge sheet, the case was initially taken on file as CC30/2001 and the accused no.2 went absconding and the case was transferred to the LP register as LP No. 54/05. Thereafter, upon his appearance, the case was refiled as CC. No.611/2003. Pursuant to the issuance of summons, the accused appeared before this court. Copies of all relevant prosecution records were furnished to the accused as provided u/s 207 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the Cr.PC). Thereafter, charge was framed for the offences punishable u/s. 143, 147, 148, 427, 324 r/w 149 IPC and read over and explained to the accused, to which he pleaded not guilty.

4. PW1 to PW3 were examined and Ext. P1 was marked on the side of the prosecution.

5. No material witness supported the prosecution version, hence the remaining witnesses were given up by the prosecution and the prosecution evidence was closed.

6. No incriminating evidence were found against the accused. Hence questioning of the accused U/s. 313(1)(b) Cr.P.C. was dispensed with.

7. Heard both sides. Perused the records.

8. The points that arose for consideration are :

1. Whether the prosecution had proved the offences alleged against the accused ?

2. If so, what is the order?

9. Point No:1:- PW1 is the defacto complainant stated that he cannot identify the accused. He identified Ext. P1 but he stated that the names of the accused were stated to the police out of a misunderstanding. The case is settled between them and he has no further complaints against the accused and is not interested to conduct the case any further. PW2 and 3 unequivocally deposed that they have not seen the incident and is not aware of anything pertaining to this case and that they cannot identify the accused. Since the material witnesses turned hostile, no purpose would be served even if the remaining witnesses were examined. There is nothing in evidence to connect the accused with the alleged offences. So, the prosecution evidence was closed. Therefore, the prosecution has failed to prove that the accused have committed the offence alleged. Point No. 1 is found against the prosecution.

10. Point No. 2: In view of the findings on point No.1, this point does not arise for consideration.

In the result,

The accused person is found not guilty of the offences punishable u/s. 143, 147, 148, 427, 324 r/w 149 IPC and he is acquitted u/s

248(1)Cr.P.C., for the above said offences. Hence, the accused is set at liberty after cancelling his bail bond.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open court, this the 01st day of April, 2026)

Judl. Magistrate of the First Class
Kunnamangalam

APPENDIX

Witnesses for the prosecution:-

PW1 : Manoj Kumar (CW1)
PW2 : Sunil Kumar (CW5)
PW3 : Prameela Balagopalan (CW6)

Exhibits for prosecution

P1 : FIS dated 29-09-2000 proved through PW1 on 07-11-25

Witnesses & exhibits for defence

: Nil.

Material objects marked

: Nil

Judl. Magistrate of the First Class
Kunnamangalam