

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

Present :- Smt. Athira. M  
Judicial Magistrate of the First Class  
Dated this the 01<sup>st</sup> Day of April, 2026

**CC 264/2021**

Complainant	State represented by the Sub Inspector of Police, Medical College Police Station in Cr. No.1121/2020 (Rep. by Smt. Sinya K A.P.P. Gr. II)
Accused	Abdul Jabbar P, S/o Muhammed Aged 19/20, Pulamannil, Pathimangalam, Kunnamangalam, Kozhikode (Adv. C M Subhash Lal)
Offence	U/s. 392 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 392 IPC

**DESCRIPTION OF THE ACCUSED**

Sl. No	Name and Rank	Father's name	Occupation	Residence	Age
1	Abdul Jabbar P	Muhammed	--	Kunnamangalam	19/20

**Date of :-**

Offence		Complaint		Apprehension	Released on Bail
21-01-19		24-09-20		03-11-20	11-12-20
Commencement of trial	Commencement 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.	
16-06-25	16-03-26	16-03-26	01-04-26	Nil	

This case having stood over to this day for consideration, the Court on 01-04-26 delivered the following:-

**J U D G M E N T**

This is a case taken on file based on the final report filed by the Sub Inspector of Police, Medical College Police Station in Crime No. 1121/20 alleging the offence punishable under section 392 of the Indian Penal Code, 1860 (hereinafter referred to as the IPC).

2. The prosecution case in brief are as follows:- On 21-09-20 at about 15:15 hours, the accused who was riding the motorcycle bearing Reg No. KL 11 V 1412, snatched her bag which contained her valuable documents from near to the Dental College Gate situated at the Govt. Medical College, Kozhikode. Therefore, the accused is said to have committed the offence punishable u/s 392 IPC.

3. Upon filing the charge sheet, the case was taken on file as CC. No.264/21. 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 Cr.P.C). Charge was framed for the offences punishable u/s.392 of IPC and was read over and explained to the accused, to which he pleaded not guilty.

4. PW1 was examined and Ext. P1 was marked from 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 was found against the accused. Hence questioning of the accused U/s. 313(1)(b) CrPC. 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 in this case. She deposed that she had given a complaint regarding the incident and identified Ext. P1. She stated that she cannot identified who snatched away her bag and the case is settled between her and the accused. PW1 was declared hostile to the prosecution. Since the material witness turned hostile, no purpose would be served even if the remaining witnesses were examined. There is nothing in evidence to connect the accused persons with the alleged offence. So, the prosecution evidence was closed. Therefore, the prosecution has failed to prove that the accused had committed the offence alleged. Hence, point No. 1 is found against the prosecution.

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

**In the result,** the accused is found not guilty of the offences punishable u/s. 392 of IPC and he is acquitted u/s 248(1)Cr.PC., for the above said offences. Hence, the accused is set at liberty after canceling his bail bond.

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

Judl. Magistrate of the First Class  
Kunnamangalam

APPENDIX

Witnesses for the prosecution:-

PW1 : Divya K (CW1)

Exhibits for prosecution

P1 : FIS dated 24-09-20 proved through PW1 Divya K on 16-

03-26

Witnesses & exhibits for defence : NIL

Material objects marked : NIL

Judicial Magistrate of the First Class  
Kunnamangalam