

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE
KOYILANDY**

Present: Sri. Ajikrishnan S, Judicial First Class Magistrate
Friday, the 27th day of March 2026

CC No. 1163/2023

Complainant : State:- Rep. by S I of Police,
Elathur Police Station,
in Crime No.591/2023.
[By Sri. Latheesh M.
Asst. Public Prosecutor Gr-I, Koyilandy]

Accused : Remil R Aravind, S/o Aravindakshan,
aged 43/23, Areappuzha (H),
Karuvisseri (PO), Kozhikode.
[By Adv. Shijosh K K]

Offence : U/SS. 341, 323 and 324 IPC.
Plea : Not guilty
Finding : Not guilty

Sentence or order : The accused is acquitted under S. 271(1) BNSS.

DESCRIPTION OF THE ACCUSED

<u>Sl. No.</u>	<u>Name</u>	<u>Father's name</u>	<u>Occupation</u>	<u>Residence</u>	<u>Age</u>
1.	Remil R Aravind	Aravindakshan	Business	Vengeri	43/23

DATE OF:

<u>Offence</u>	<u>Complaint</u>	<u>Apprehension of accused</u>	<u>Release on bail</u>
04.07.2023	05.07.2023	01.10.2024	01.10.2024
<u>Commencement of trial</u>	<u>Close of trial</u>	<u>Sentence/Order</u>	<u>Explanation of delay</u>
27.07.2025	27.03.2026	27.03.2026	No delay

This case having been finally heard on 27.03.2026, the court on the same day delivered the following:

J U D G M E N T

1. The accused is facing trial for the offences punishable under SS. 341, 323 and 324 of the Indian Penal Code (hereinafter "IPC"). The final report was filed by the Sub Inspector of Police, Elathur Police Station.
2. **The prosecution case, in brief, is as follows:** at 6.15 pm on 04.07.2023, at Kunduparamba, the accused wrongfully restrained PW1 and voluntarily caused hurt to him by beating with hands and hitting with a key. Hence, the accused is alleged to have committed the aforesaid offences.

General proceedings

3. Upon the receipt of the final report, cognizance was taken for the offences alleged and summons was issued to the accused. On appearance of the accused, he was released on bail. He was defended by a counsel of his choice. The copies of all relevant documents were furnished to him u/S. 207 Cr.P.C. After hearing both sides, charge was framed for the offences punishable under SS. 341, 323 and 324 IPC, read over and explained to the accused, and to which he pleaded not guilty.

Evidence

4. In order to prove the prosecution case, PW1 was examined and Ext. P1 was marked. PW1 did not support the prosecution case. In view of the evidence of PW1, the examination of the remaining witnesses was given up by the learned APP. As there were no incriminating circumstances, questioning of accused u/S. 351(1) (b) BNSS was dispensed with. No defence evidence was adduced by the accused.
5. Heard the learned Assistant Public Prosecutor and the learned counsel for the accused.
6. **The points arise for consideration** are:
 - i. Whether at 6.15 pm on 04.07.2023, at Kunduparamba, the accused wrongfully restrained PW1 and thereby committed the offence punishable u/s. 341 IPC?
 - ii. Whether on the same date and time, the accused voluntarily caused hurt to PW1 as alleged and thereby committed the offence

punishable u/s. 323 IPC?

- iii. Whether on the same date and time, the accused voluntarily caused hurt to PW1 by hitting with a key and thereby committed the offence punishable u/s. 324 IPC?
- iv. What shall be the order or sentence to be passed?

Discussion

7. **Point Nos. (i) to (iii)**: For the sake of convenience and brevity, these points are considered together. PW1 lodged Ext.P1 FIS to the police regarding the alleged incident. He deposed that on 04.07.2023, at Kunduparamba, a car driver wrongfully restrained him and caused injury to him by beating with hands and by hitting with a key. He sustained injury in the incident. He further deposed that he could not identify the assailant. The matter was settled between them and he has no grievance against the accused. PW1 filed a compounding petition also.
8. Since PW1 did not support the prosecution, the learned Assistant Public Prosecutor gave up the remaining witnesses. I have considered the evidence adduced and other materials on record. The scrutiny of the evidence adduced by PW1 would show that he did not support the case of the prosecution. There is no evidence or material to connect the accused with the offences alleged. Hence, I am of the view that the prosecution has failed to prove the offences alleged against the accused. These points are found against the prosecution.
9. **Point No. (iv)**: In view of the finding in point Nos. (i) to (iii), the accused is found not guilty of the offences punishable under SS. 341, 323 and 324 IPC, and he is liable to be acquitted. The point is found accordingly.

In the result:

The accused is acquitted under S. 271(1) BNSS of the offences punishable under SS. 341, 323 and 324 IPC. His bail bond stands cancelled. He is set at liberty.

(Dictated to the Confidential Assistant transcribed and typed by her, corrected and pronounced by me in open Court this, the 27th day of March 2026).

Judicial First Class Magistrate
Koyilandy

APPENDIX

List of Prosecution/Defence/Court Witnesses

Prosecution Witnesses

Rank	Name	Whether Eye witness, Expert witness, Medical witness, Other witness
PW1 (CW1)	Dinesan	First informant.

Prosecution Exhibits

Sl. No.	Exhibit Number	
1.	Ext.P1/PW1	FIS, dated 05.07.2023.

Defence Witnesses examined -Nil
Exhibits marked for defence -Nil
Court Witnesses and Exhibits -Nil
Material objects marked -Nil

Judicial First Class Magistrate
Koyilandy