

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

Present :- Sri.Binu. P

Civil Judge(Junior Division), Chavara

Thursday, the 11th day of June, 2026

CC 99/2021

Complainant : State - Represented by the Sub Inspector of Police,
Chavara Police Station in Crime No.30/2021.

(By Assistant Public Prosecutor)

Accused : Ratheesh,S/o Kamalan

(By Adv.G.Amar Prasanth)

Charge : U/ss. 294(b), 341, 323, 324 IPC .

Plea Not Guilty

Finding Not Guilty

Sentence/Order : Accused is acquitted under section 248(1) of Code of Criminal Procedure for the offences punishable under sections 294(b), 341, 323, 324 IPC. Bail bond executed by him stand cancelled and accused is set at liberty.

Date of

Occur- rence	Compl- aint	Appreh- ension	Release on bail	Commen cement of trial	Commen cement of evidence	Close of trial	Sentence or order	Period of detention undergone during investigation of trial for the purpose of Section 428 Cr.P.C
01.01.21	12.01.21	06.11.23	06.11.23	29.04.24	03.06.26	08.06.26	11.06.26	

DESCRIPTION OF THE ACCUSED

Sl. No.	Name	Age	Father's Name	Residence	Taluk
1.	Ratheesh	37/21	Kamalan	Vadake attathu veedu, Neendakara muri, Neendakara	Karunagappally

This case coming on for hearing today, the court passed the following:-

J U D G M E N T

The accused stand facing trial for the offences punishable under sections 294(b), 341, 323, 324 IPC. Charge sheeted by the Sub Inspector of Police, Chavara Police Station in the crime No 30/2021.

2. The prosecution case is that, due to the previous enmity and with the intention of causing bodily harm to the defecto complainant, on 1/1/2021 at about 1:30 p.m. near Velithuruth bridge, Neendakara muri the accused wrongfully restrained him, abused him in filthy language. When the defecto complainant objected to the same, the accused struck the defecto complainant with a wooden stick. Thus the accused committed the above said offences.

3. The accused was appeared in answer to the summons. He was granted bail. Copies were served to the learned counsel as per section 207 Code of Criminal Procedure, 1973. Charge was read over and explained to him of which he pleaded not guilty and claimed to be tried.

4. From the side of prosecution, PW1 and PW2 were examined and Ext. P1 was marked. The material witnesses turned hostile to prosecution

case. Therefore the examination of remaining witnesses were given up by the prosecution. Since there were no incriminating evidence against the accused examination under section 313(1)(b) of the Code of Criminal Procedure, 1973 was dispensed with.

5. Heard both sides.

6. Now the points arise for considerations is:

- (1) Whether the accused utter obscene words at PW1 and thereby committed the offence punishable under section 294(b) IPC ?
- (2) Whether the accused wrongfully restrained PW1 thereby committed the offence punishable under 341 IPC?
- (3) Whether the accused voluntarily caused hurt to PW1 and thereby committed the offence punishable under section 323 IPC?
- (4) Whether the accused voluntarily caused hurt to PW1 with a dangerous weapon and thereby committed the offence punishable under section 324 IPC?
- (5) If found guilty, order as to sentence

7. **Point No.1 to 4** :- For the sake of brevity and convenience, these points are considered together. CW1 examined as PW1. PW1 deposed that the name of the accused had been given on suspicion. Ext P1 F.I statement marked through him. He also deposed that he sustained injury caused by someone unknown to him and also testified that matter settled between parties

and not intended to proceed with the case. PW2 didnot support prosecution case.

8. The victim as well as occurrence witness turned hostile to the prosecution case. Resultantly prosecution has not been able to prove that the accused has committed any offences as alleged. In the result, point numbers 1 to 4 are found against the prosecution.

9. **Point No.5:** In the view of the discussion on point no.1 to 4 the accused is found not guilty to the offences punishable under sections 294(b), 341, 323, 324 IPC.

10. In the result, accused is acquitted under section 248(1) of Code of Criminal Procedure for the offences punishable under sections 294(b), 341, 323, 324 IPC. Bail bond executed by him stand cancelled and accused is set at liberty.

Dictated to the Confidential Assistant typed by her, corrected and pronounced by me, in open court, on this the 11th day of June, 2026.

Sd/-

Judicial I Class Magistrate, Chavara

APPENDIX

List of Prosecution/Defence/Court Witnesses

A. Prosecution Witnesses

Rank	Name	Whether Eye Witness, Police Witness, Expert witness, Medical Witness, other witness
PW1	Abhisekh	Injured witness
PW2	Manu	Occurrence witness

B. Defence Witness

Rank	Name	Whether Eye Witness, Police Witness, Expert witness, Medical Witness, other witness
	NIL	

C. Court Witnesses

Rank	Name	Whether Eye Witness, Police Witness, Expert witness, Medical Witness, other witness
	NIL	

List of Prosecution/Defence/Court Exhibits**A. Prosecution Exhibits**

Sl. No.	Exhibit Number	Description
	P1	FIS dated 12.01.21 marked through PW1 on 03.06.2026.

B. Defence Exhibits

Sl.No.	Exhibit Number	Description
	NIL	

C. Court Exhibits

Sl.No.	Exhibit Number	Description
	NIL	

D. Material Objects

Sl.No.	Exhibit Number	Description
	NIL	

Sd/-**Judicial I Class Magistrate, Chavara**