

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

**Present :- Smt. Asha Koshy  
Civil Judge(Junior Division), Chavara  
Friday, the 24<sup>th</sup> day of April, 2026  
CC 326/2016**

Complainant : State - Represented by the Sub Inspector of Police,  
Chavara Police Station in Crime No.445.2016.

(By Assistant Public Prosecutor)

Accused : Anandakrishnan, S/o Balakrishnan,

(By Adv.V.Sreekumar)

Charge : U/ss. 498(A), 341, 323, 506(i) 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 498(A), 341, 323, 506(i) IPC. Bail bonds executed by him stand cancelled and accused is set at liberty.

**Date of**

Occurrence	Complaint	Apprehension	Release on bail	Commencement of trial	Commencement 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
11.02.16	21.02.16	17.01.17	17.01.17	21.08.17	---	23.04.26	24.04.26	

**Description of accused**

Sl. No	Name	Age	Father's name	Residence	Taluk
1.	Anandakrishnan	42	Balakrishna Pillai	Padmavihar,Kottaikakam muri, Chavara	Karunaga appally

This case coming on 24.04.26 for hearing today, the court passed the following:-

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

The accused stand facing trial for the offence punishable under sections 498(A), 341, 323, 506(i) IPC charge sheeted by the Sub Inspector of Police, Chavara Police Station in the crime No.445.16.

2. The prosecution alleges that, the marriage between the complainant and the accused was solemnized on February 7, 2000, in accordance with Hindu religious rites. While they were residing together as husband and wife at "Padmavivar" house, the accused developed an illicit relationship with another woman. Due to the animosity arising from the defacto complainant questioning the said relationship, the accused, at about 8:45 a.m. on February 11, 2016, wrongfully restrained her and physically assaulted her, causing pain to her left wrist. He also subjected her to harassment by demanding additional dowry. Hence, the accused had committed the offences punishable under sections 498(A), 341, 323, 506(i) IPC.

3. The accused is appeared in answer to the summons. He is 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 they pleaded not guilty and claimed to be tried.

4. Prosecution failed to procure the presents CW1 to CW3, who are the material witness to the case. Since there were no incriminating evidence against the accused, examination under section 313(1)(b) of the Code of Criminal Procedure, Prosecution failed to procure the presents CW1 to CW3, who are the material witness to the case. Since there were no incriminating evidence against the accused 1973 was dispensed with.

5. Heard both sides. Perused the records

6. Now the point arise for consideration is:

1. Whether the accused had subjected the informant to cruelty as contemplated in clause (a) or clause (b) to the explanation of section 498(A) of IPC ?
2. Whether 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, criminally intimidated PW1 and thereby committed offence punishable u/s 506(i) IPC?
5. If found guilty, order as to sentence?

7. **Point No.1 to 4 :** For the sake of brevity and convenience, these point is considered together. Prosecution failed to procure the presents CW1 to CW3, who are the material witness to the case. Resultantly prosecution has not been able to prove that the accused had committed any offences as alleged. In the result, point numbers 1 to 4 are found against the prosecution.

8. **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 498(A), 341, 323, 506(i) IPC.

9. In the result, accused is acquitted under section 248(1) of Code of Criminal Procedure for the offences punishable under sections 498(A), 294(b), 323, 506(I) 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 24<sup>th</sup> day of April, 2026.*

Sd/-

**Judicial First 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	NIL	

##### **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**

Exhibit Number	Description
NIL	

**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 Magistrate of the I Class, Chavara**