

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS- II,
SOUTH PARAVUR, KOLLAM**

**Present :- Smt. Chithralekha N S,
Judicial Magistrate of the First Class.**

Tuesday, the 24th day of March, 2026/ 3rd day of Chaithram, 1948

Calendar Case No. 626/2022

- Complainant : State - Represented by the Sub Inspector of Police, Chathannur Police Station in Crime No. 479/2022.
(Represented by Assistant Public Prosecutor, Paravur)
- Accused : Sarath S Pilla, Aged 39, S/o. Sasidharanpilla, Pathma Vilasam, Plakkadu, Adichanalloor, Kollam.
(Represented by Adv. Plakkadu B J Shibu)
- Charge : Under section 498A of IPC.
- Plea : Not Guilty
- Finding : Not Guilty
- Sentence/Order : The accused is acquitted u/s. 271(1) BNSS for the offence punishable under section 498A of IPC. Bail bond executed by the accused stands cancelled and he is set at liberty.

DESCRIPTION OF THE ACCUSED

Sl. No.	Name	Father's Name	Age	Residence	Taluk
1.	Sarath S Pilla	Sasidharanpilla	39	Pathma Vilasam, Plakkadu, Adichanalloor, Kollam.	Kollam

DATE OF

Occurrence	Complaint	Apprehension / appearance	Release on bail	Commencement of trial	Close of trial	Sentence or Order	Explanation for delay
11.07.2016	01.08.2022	04.03.2026	04.03.2026	04.03.2026	24.03.2026	24.03.2026	No delay

This case having been finally heard on 24.03.2026 and the Court on the said day, delivered the following:-

J U D G M E N T

This case was taken cognizance upon a final report filed by the Sub Inspector of Police in Crime No. 479/2022 of Chathannur Police Station alleging the commission of offence punishable under section 498A r/w 34 of the Indian Penal Code, 1860 (for short – 'IPC').

2. The prosecution case in brief is as follows:- The marriage between PW1 and accused stood solemnized on 11.07.2016. They resided together in the house of PW1. Meanwhile the accused committed cruelty upon PW1 in the name of dowry. Hence the accused is alleged to have committed the offence punishable under section 498A of IPC.

3. Upon receipt of the final report, this court took cognizance of the offence and issued process against the accused. The accused was enlarged on bail and he was represented by a lawyer of his choice. Charge for the offence punishable u/s. 498A of IPC was framed, read over and explained to the accused. He pleaded not guilty and claimed to be tried.

4. As per final report, altogether six witnesses were proposed from the side of prosecution including the victim and the occurrence witnesses. CW1 was examined as PW1 and Ext. P1 was marked from the side of

prosecution. As PW1 turned hostile to the prosecution case the rest of the witnesses were given up by the learned Assistant Public Prosecutor as no purpose will be served and will only end in waste of valuable time of court. Since no incriminating materials came up before this court, examination of the accused u/s. 351 BNSS was dispensed with. No defence evidence was adduced.

5. The matter was considered for final decision after hearing the learned Assistant Public Prosecutor and the learned counsel who appeared for the accused. Perused the relevant records.

6. The points which arose for consideration are:

1. Whether the accused subjected PW1 to cruelty as contemplated in Clause (a) or Clause (b) to explanation of Section 498A of Indian Penal Code ?
2. If found guilty, what order as to sentence?

7. As to Point No. 1 :-

PW1 submitted that she lodged Ext. P1 First Information Statement following the incident. There has happened only a verbal altercation in the matrimony. She denied any instance of physical or mental harassment at the hands of the accused. She further added that the matters relating to the

case stood settled between her and the accused. She added that they have been residing together as on the date of examination.

8. The victim turned hostile and refrained from deposing any of the matters the prosecution intended to prove through her. Hence the evidence available is inadequate to hold the accused guilty for the alleged offence. There exists absolutely no proof that the accused committed the offence in question.

Hence, point no. 1 stands not proved.

9. **As to Point No. 2:-** In view of the discussions on point no. 1, the accused is found not guilty to the offence punishable under section 498A of IPC. Hence, he is only to be acquitted for the said offence.

In the result:-

The accused is acquitted u/s. 271(1) BNSS for the offence punishable under section 498A of IPC. Bail bond executed by the accused stands cancelled and he is set at liberty.

Dictated to the Confidential Assistant directly, corrected and pronounced by me, in open court, on this the 24th day of March, 2026.

Sd/-

**Judicial Magistrate of the First Class- II,
Paravur**

APPENDIX**Witnesses for prosecution :-**

Prosecution witness no.	Name of Witness	Description
PW1	Mrs. Anjali (CW1)	Defacto complainant

Exhibit for prosecution:

Exhibit No.	Description of the Exhibit	Proved by /Attested by
P1	First Information Statement	PW1

Witnesses for Defence :-

Prosecution witness no.	Name of Witness	Description
Nil		

Exhibit for Defence:

Exhibit No.	Description of the Exhibit	Proved by /Attested by
Nil		

Material Objects :-

Material Object No.	Description of the Exhibit	Proved by/Attested by
Nil		

**Sd/-
Judicial Magistrate of the First Class-II,
Paravur**