

**IN THE COURT OF THE JUDICIAL FIRST-CLASS MAGISTRATE,
KADAKKAL**

Present:- Sri.Amal S.R., Judicial First-Class Magistrate

Thursday, 4th day of June, 2026/ 14th Jyaishta, 1948

CALENDAR CASE No.520/2022

Complainant : State-represented by the Sub Inspector of Police,
Kadakkal Police Station in Crime No.1164/2022.
(By A.P.P., Kadakkal)

Accused : Salim, aged 51/2022, S/o Sainudheen,
Nihas Manzil, Thrikkannapuram, Pulippara.P.O.,
Kummil Village.
(By Adv. Ajimon. V.)

Offence : Under section 506(i) of the Indian Penal Code.

Plea : Not guilty

Finding : Not guilty

Sentence or order : Accused is found not guilty of the offence punishable under
section 506(i) of the Indian Penal Code and he is acquitted
under section 255(1) of Cr.P.C.. His bail bond stands
cancelled and he is set at liberty.

Date of

Occurrence	Complainant	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 of Cr.P.C.
07.07.22	29.07.22	05.12.22	05.12.22	05.12.22		04.06.26	04.06.26	-

This case having been finally heard on 04.06.2026 and the Court on the same day delivered the following:-

JUDGMENT

The accused is put on trial upon a final report filed by the Sub Inspector of Police, Kadakkal Police Station in Crime No.1164/2022 alleging commission of offence punishable under sections 294(b) and 506(i) of the Indian Penal Code.

2. ***Prosecution case in brief is as follows:-*** On 07.07.2022 at 10.00 p.m. in the house of CW1 at Thrikkannapuram, Kummil Village the accused uttered obscene words against CW1 and criminally intimidated her. Thus, the accused have committed the offences punishable under sections 294(b) and 506(i) of the Indian Penal Code.
3. This case is originated from the First Information Statement given by CW1. On the basis of this, CW7 registered First Information Report and conducted investigation and laid charge sheet before the Court.
4. My learned predecessor took cognizance of the offences and issued process against the accused under Section 204 Cr.P.C. Upon his appearance before the Court, the accused was enlarged on bail. Copies of all relevant prosecution records were furnished to him in compliance with the statutory requirements. On finding that a prima facie case was made out only for the offence punishable under Section 506(i) of the Indian Penal Code, the particulars of the said offence were read over and explained to the accused. He pleaded not guilty and claimed to be tried. Since the materials on record did not disclose the essential ingredients of the offence under Section 294(b) IPC, particulars of the said offence were not read over to the accused.

5. Despite issuance of summons and adoption of coercive steps, the presence of the material witnesses could not be secured. In the circumstances, no useful purpose would be served by further adjourning the matter for their examination. Accordingly, the prosecution evidence was closed. Since the evidence adduced by the prosecution did not disclose any incriminating circumstance against the accused warranting an explanation from him, the examination of the accused under Section 313 Cr.P.C. was dispensed with.
6. Heard both sides.
7. Points that arose for consideration are:-
 - 1) *Have the accused, on 07.07.2022 at 10.00 p.m., in the house of CW1 at Thrikkannapuram, Kummil Village, criminally intimidated CW1 and thus committed the offence punishable under section 506(i) of the Indian Penal Code?*
 - 2) *If the accused is found guilty, what is the order as to sentence?*
8. **Points No. 1** :- In the present case, the police have submitted a report stating that the whereabouts of material witnesses could not be traced despite earnest efforts. They have further expressed their inability to secure the presence of the said witnesses before this Court. It is evident that CW1 to CW3 are crucial witnesses whose evidence is essential for proving the prosecution case, and in their absence, the substratum of the prosecution case is seriously affected.
9. Despite granting sufficient opportunities and adopting coercive steps, the prosecution has failed to procure the attendance of these material witnesses. In such circumstances, no useful purpose would be served by adjourning the matter further or by proceeding with the examination of the remaining

witnesses, whose evidence would not advance the prosecution case in any meaningful manner.

10. Accordingly, this Court is constrained to close the prosecution evidence. In the absence of substantive and reliable evidence to establish the allegations against the accused, the prosecution has failed to prove its case beyond reasonable doubt. Hence, the prosecution case stands failed. Thus, point no.1 is found against the prosecution.

11. **Point No. 2** :- In view of the finding in Point No.1, the accused is found not guilty of the offence punishable under section 506(i) of the Indian Penal Code and he is acquitted under section 255 (1) of Cr.P.C.. His bail bond stands cancelled and he is set at liberty.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court on this, the 4th day of June, 2026.

Sd/-

Judicial First-Class Magistrate, Kadakkal.

APPENDIX

List of Prosecution/Defence/Court Witnesses

A. Prosecution Witnesses

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

Sl.No	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 First-Class Magistrate, Kadakkal.
//True copy//

Judicial First-Class Magistrate, Kadakkal.