

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, KADAKKAL**Present:- Sri.Amal S.R., Judicial First Class Magistrate**Tuesday, 07^h day of April, 2026/ 17th Chaithra 1948.**CALENDAR CASE No. 630/2022**

Complainant : State-represented by the Sub Inspector of Police,
Kadakkal Police Station Crime No.969/2022.

(By A.P.P., Kadakkal)

Accused : Sugathan, aged 59/2022, S/o.Sekharan, Kunnil Veedu, Karyam,
Edathara P.O, Kadakkal Village.

(By Adv. Sri.D.Vinayakumar)

Offence : Under sections 447, 506(ii) and 294(b) of the Indian Penal Code.

Plea : Not guilty

Finding : Not guilty

Sentence or order : The accused is found not guilty of the offence punishable under sections 447, 506(ii) and 294(b) of the Indian Penal Code and he is acquitted under section 271(1) of the BNSS. His bail bond stands cancelled and he 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
30.12.21	31.08.22	20.06.22	08.10.22	18.12.25	31.03.26	31.03.26	07.04.26	-

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

JUDGMENT

1. The accused is put on trial upon a final report filed by the Sub Inspector of Police, Chadayamangalam Police Station Crime No.969/2022 alleging commission of offence punishable under sections 447, 506(ii) and 294(b) of the Indian Penal Code.
2. Prosecution case in brief is as follows:- Due to prior enmity towards the 1st witness and with the intention and preparation to abuse and intimidate the 1st witness, on 30.12.2021 at about 12 noon, Kooram Kuzhi Kunnil House in Attupuram near Karyam LMLP School, Edathar P.O, at Kadakkal Village, the accused trespassed into the property of the 1st witness while armed with a chopper, abused the 1st witness using obscene words and criminally intimidate him. Thus the accused had committed the offences punishable under sections 447, 506(ii) and 294(b) of the Indian Penal Code.
3. This case is originated from the Ext.P1 given by PW2. On the basis of this, CW7 registered First Information Report and conducted investigation and laid charge sheet before the Court.
4. My predecessor in office took cognizance of the offences and issued process against the accused u/s.204 Cr.P.C. On appearance of the accused, he was enlarged on bail. The copies of all relevant prosecution records were furnished to him under section 207 of the Code of Criminal Procedure, 1973. After hearing both parties, charge u/ss. 447, 506(ii) and 294(b), of the Indian Penal Code were framed, read over and explained to them to which he pleaded not guilty and claimed to be tried.
5. On the side of the prosecution, PW1 and PW2 were examined and Ext.P1 was marked. As the material witnesses failed to support the prosecution case, the learned Assistant Public Prosecutor gave up. In the absence of any incriminating evidence against the second accused, questioning him under section 313 of Cr.P.C was dispensed with.
6. Heard both sides.
7. Points that arose for consideration are: -

- 1) *Has the accused, on 30.12.2021 at about 12 noon, criminally trespassed into the house plot of CW1 and thus committed the offence punishable under section 447 of the Indian Penal Code?*
- 2) *Has the accused, hurled obscene words towards PW1 and thus committed the offence punishable under section 294(b) of the Indian Penal Code?*
- 3) *Has the accused, criminally intimidated PW2 and thus committed the offence punishable under section 506(ii) of the Indian Penal Code?*
- 4) *If the accused is found guilty, what is the order as to sentence?*

8. **Points No. 1 to 3:** - For the sake of convenience and to avoid repetition, and for brevity, these points are considered together.

9. The defacto complainant was examined as PW2. First Information Statement is marked as Ext.P1. PW2 categorically deposed that he did not know the culprits.

10. PW1 is an occurrence witness. She deposed that he does not know the accused. She denied the entire prosecution case.

11. Seeing the plight of the case, the remaining witnesses are not examined. In the above circumstances the prosecution case stands as failed. Thus, point no.1 to 3 are found against the prosecution.

12. **Point No. 4 :-** In view of the finding in Point No.1 to 3, the accused is found not guilty of the offence punishable under sections 447, 506(ii) and 294(b) of the Indian Penal Code and he is acquitted under section 271(1) of the BNSS. 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 07th day of April, 2026.

Sd/-

Judicial Magistrate of First Class, Kadakkal

APPENDIX**List of Prosecution/Defence/Court Witnesses****A. Prosecution Witnesses**

Rank	Name	Whether Eye Witness, Police Witness, Expert witness, Medical Witness, other witness
PW2	Lalitha (CW1)	Complainant/Occurrence Witness
PW1	Sarasu (CW2)	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
1	P1	FIS proved by PW2 on 31.03.2026

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 Magistrate of First Class, Kadakkal**

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Judicial Magistrate of First Class, Kadakkal

