

**IN THE COURT OF FAST TRACK SPECIAL JUDGE,
KARUNAGAPALLY**

Present: Sri. Rajeevan Vachal., Special Judge, Karunagappally
Friday the 12th day of June, 2026 /22nd day of Jeshtam 1948.

SESSIONS CASE No.1218/2025

Crime No.1774/2024 of Karunagappally Police Station

Complainant	:	State of Kerala represented by Sub Inspector of Police, Karunagappally Police Station.
	:	(Rep. By N.C. Premchandran, Special Public Prosecutor, Karunagappally).
Accused		Yedu Krishnan, 25 years, S/o.Ramakrishnan, Kalluvila Puthen Veedu, Thattarkonam cherry, Thrikkovilvattom Village. Residing at Minimol Veedu, Punukkonnoor Cherry, Alummoodu P.O., Kottankara Village.
		<i>By- Adv.Sujith Chandran.H</i>
Charge	:	The offence punishable U/s 4 r/w 3 (a), 6 r/w 5 (l) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m),78, 69, 96, 13 7(1), (b) 74, 75 (1), 75 (2), 76, 63(a) of the BNS and 3 (1)(w)(i),3 (2) (V) of the SC/ST (POA)
Plea of the accused	:	Not guilty
Finding and sentence of the court	:	The accused is acquitted of all charges U/s.258 of the BNSS. He is set at liberty, and the bail bond is cancelled.

Dates of trial and hearing	:	21/04/2026, 29/04/2026, 13/05/2026, 15/05/2026, 21/05/2026, 25/05/2026
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This case having been finally heard on 25/05/2026 and the court on 12/06/2026 delivered the following:-

J U D G M E N T

Cognisance of offence punishable U/s 4 r/w 3 (a), 6 r/w 5 (l) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m), 78, 69, 96, 13 7(1), (b) 74, 75 (1), 75 (2), 76, 63 (a) of the BNS & 3(1) (w) (i), 3 (2) (V) of the SC/ST (POA) were taken upon the report of the Assistant Superintendent of Police, Karunagapally in Crime No.1774 of 2024 of Karunagapally Police Station against the accused.

2. Prosecution case, in brief, is as follows.

The accused, the Hindu Viswakarma caste, knowingly that the survivor, a 17-year-old minor girl belongs to Kanakka caste, a cast comes under the Scheduled Castes with a sexual intent, deceitfully induced the survivor by giving a false promise of marriage to leave her house without the consent of her parents and induced her to reach Ernakulam Railway Station by train and when she arrived at Ernakulam Railway Station, the accused took her to Karunagapally town upon his motorbike. Bearing No. KL 26 P 748 on 05.08.2024, and took her to the lodge named Crown Lodge, Karunagapally at 09.39 p.m. and stayed there together. Having obtained her consent by giving a false promise of marriage, the accused subjected the

survivor to sexual intercourse from there and thereafter on the next day took her to the house of the accused, named Raghava Mandiram, bearing Elamballur Grama Panchayath Building No. 744 of XV and subjected the survivor to sexual intercourse on 6.08.2024.

3. On 10.11.2024, the survivor went to Koppam Police Station, Palakkad District and lodged an FIS against the accused. Concerning the aforesaid incident of kidnapping and sexual abuse and the Sub Inspector of Police, Koppam Police Station registered a crime as crime number is 610 of 2024 U/s. 4 r/w 3 (a), 6 r/w 5 (I) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m), 78, 69, 96, 137 (1), (b) 74, 75 (1), 75 (2), 76, 63 (a) of the BNS.

4. The Inspector of Police, Koppam Police Station, conducted the first part of the investigation and recorded the statements of the witnesses and the arrest of the accused. When it was revealed that the offence was committed within the jurisdiction limits of Kilikollur Police Station, Kollam District, the Station House Officer of Koppam Police Station transferred the FIR to Kilikollur Police Station in view of the territorial jurisdiction having filed a report before the First Additional Sessions Court, Palakkad. Having received the transfer FIR, the Station House Officer, Kilikollur Police Station, registered a transfer FIR as Crime No. 1488 of 2024 U/s. 4 r/w 3 (a), 6 r/w 5 (I) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m), 78, 69, 96, 137(1), (b) 74, 75 (1), 75 (2), 76, 63 (a) of the BNS. However, the Station House Officer, Kilikollur Police Station, realised that the place of the incident was within the territorial jurisdiction of

the Karunagapally Police Station he transferred the FIR and connected records to the Karunagapally Police Station for further investigation. Having received the transfer FIR, the Station House Officer, Karunagapally Police Station registered a crime as Crime No. 1774 of 2024 against the accused, who was undergoing judicial custody U/s.4 r/w 3 (a), 6 r/w 5 (l) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m), 78, 69, 96 ,137 (1),(b)74, 75 (1), 75 (2), 76, 63 (a) of the BNS. When the offence punishable U/s. SC/ST (POA) Act was revealed, the Assistant Commissioner of Police, Karunagapally, continued the investigation.

5. The Inspector of Police, Koppam Police Station, who conducted the first part of the investigation, recorded the statement of the witnesses, prepared the scene mahaser, arrested the accused and subjected him to a medical examination to test his potency and thereafter produced him before the court having jurisdiction. The survivor was produced before the hospital and subjected to medical examination. The accused was remanded in judicial custody, and later, he was enlarged on bail. Having the seized documents and verified the investigation. The Assistant Commissioner of Police, Karunagapally, Kollam District completed the investigation, and filed a final police report before the First Additional Sessions Court, Kollam, the designated court for the offences of POCSO Act cases, alleging offences punishable U/s. 4 r/w 3 (a), 6 r/w 5 (l) &12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m), 78, 69, 96, 137 (1), (b) 74, 75 (1), 75 (2), 76, 63 (a) of the BNS & 3 (1) (w) (i), 3 (2) (V) of the SC/ST (POA). Having taken cognisance of the offence, the case was taen on file as SC1218/2025 of Kollam Sessions

Division, and later it was transferred to this court for trial and disposal. The accused appeared on summons. The private defence counsel represents the accused. The copies of the prosecution records and documents were furnished to the accused U/s. 230 of the BNSS. The Public Prosecutor opened the case U/s.249 BNSS. Having heard the defence counsel, Public Prosecutor and perused the prosecution records, the Charge U/s.4 r/w 3(a), 6 r/w 5(l) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012 Sections 63 (a) 64 (2) (m), 78, 69, 96, 137 (1), (b) 74, 75 (1), 75 (2), 76, 63 (a) of the BNS & 3 (1) (w)(i), 3 (2) (V) of the SC/ST (POA) were framed and read over and explained to the accused. The accused pleaded not guilty and claimed to be tried.

6. When the case was posted for evidence. The prosecution examined CW1 (victim), CW2 (Mother of victim), CW11(Harikrishnan), CW31(Anjali Bhavana) and CW30 (Biju.V.) as PW1 to PW5, respectively. Exbt-P1 to P17 were marked through the prosecution witness. The examination of the remaining witnesses was given up by the learned Public Prosecutor.

7. After the prosecution's evidence, the accused was examined U/s. 351 of the BNS, and the evidence and the incriminating circumstances were read over and explained to the accused. The accused denied the same. Heard U/s. 255 of the BNS. As this is not a case of no evidence, the accused was called to enter on defence evidence and to adduce defence evidence if any. No evidence was adduced.

8. Heard the prosecutor and defence counsel.

9. The following points arise for consideration:-

1. Whether PW1 was a minor at the time of the alleged offence ?
2. Whether the accused belongs to the Viswakarma community, an OBC community and the survivor belongs to the Kanakka community, an SC/ST community.?
3. Did the accused deceitfully induce PW1 to leave her house and to come to Thiruvananthapuram Railway Station to abduct her to Karunagapally on his motorbike to commit the rape?
4. Did the accused subject the survivor to penetrative sexual intercourse on multiple occasions at Crown Lodge, Karunagapally and his house on multiple occasions on 05.08.2024 and 06.08.2024, having given a false promise of marriage knowingly that she belongs to the SC/ST community?
5. Did the accused commit the offences punishable U/s. 4 r/w 3 (a), 6 r/w 5 (I) & 12 r/w 11 (IV) of the Protection of Children from Sexual Offences Act, 2012, Sections 63 (a) 64 (2) (m), 78, 69, 96, 137 (1), (b) 74, 75 (1), 75 (2), 76, 63 (a) of the BNS & 3(1) (w) (i), 3 (2) (V) of the SC/ST (POA)?

10. Points No.1 and 2:-

The survivor, who was examined as PW1, and her mother, who was examined as PW2, testified that the date of birth of the survivor is 24.9.2007. The

learned defence counsel didn't challenge the oral testimony of the witnesses about the date of birth. PW2, the mother of the survivor, further deposed that they belonged to the Kanakka community, a community that falls under the category of the Scheduled Cast and Scheduled Tribe. Exhibit P13 is the birth certificate of the survivor. Exhibit P3 and P4 are the caste certificates signed and issued by the concerned authority. The uncontroverted testimony of PW1 and PW2, supported by Exhibit P3, Exhibit P4 and Exhibit P13, would prove that the survivor was a 17-year-old minor in the year 2024 at the time of the occurrence, and she belonged to the SC/ST community while the accused belonged to an OBC community.

11. **Points No 3 to 5:-**

These points can be considered together. PW1 didn't support the prosecution's case that the accused deceitfully induced her to leave her house, and later she was subjected to penetrative sexual intercourse by the accused at different places on multiple occasions by the accused. Having admitted the lodging of the Ext P1, FIS. PW1 testified that the accused, her friend, never induced her to leave her house, and in consequence she went to Tiruvananthapuram Railway Station from where she was kidnapped to Karunagapally and put her in a lodge for one day and thereafter took her to his house, meanwhile she was subjected to penetrative sexual intercourse from the lodge as well as from his house. When the learned public prosecutor confronted Ext P1, FIS to the witness and questioned her, having taken permission from the court, the witness asserted that she never gave such a statement

to the police, to the effect that she was subjected to sexual assault and penetrating sexual intercourse.

12. The mother of the survivor also didn't support the prosecution's case. PW2 testified that she never stated to the investigation officer that the accused had subjected her daughter to sexual intercourse. Even though the learned public prosecutor cross-examined PW1 and PW2, he couldn't obtain any material to discredit PW1 and PW2. PW2 stuck with her version that her daughter never stated to her that she was subjected to sexual intercourse by the accused having kidnapped her.

13. The prosecution examined the brother of the accused as PW3 to prove that her brother brought the minor survivor to their house, and she stayed there for one day. However, PW3 didn't support the prosecution's case. PW3 asserted that his brother never took the minor survivor to their house and detained her there for one day. Even though the learned Public Prosecutor put questions as if PW3 was cross-examined, having obtained the permission of the court and confronted his prior statement, he failed to elicit any material to discredit him.

14. The prosecution examined the investigation officers as PW4 and PW5. PW4 and PW5 testified to the steps of the investigation they conducted and the nature of the document they seized and produced before the court. PW4 and PW5 proved Exhibits P2 to P17.

15. In view of the evidence of PW1 and PW2, the examination of the remaining formal witnesses is a futile exercise and a waste of judicial time. Hence,

the learned Public Prosecutor rightly gave up the examination of the remaining formal witnesses.

16. On appreciating the material before the court, it would reveal that there is no reliable and substantive evidence to prove the charge against the accused. Hence, the accused is entitled to an order of acquittal U/s. 258 of the BNSS.

17. In the result, the accused is acquitted of all charges U/s.258 of the BNSS. He is set at liberty, and the bail bond is cancelled.

(Dictated to AI Assistant, corrected and pronounced by me in Open Court on this the 12th day of June, 2026.

Sd/-

RAJEEVAN VACHAL

Special Judge.

Appendix

Witness for the prosecution

Date of examination

PW1		Survivor	21/04/2026
PW2		Mother of survivor	21/04/2026
PW3	:	Harikrishnan	29/04/2026
PW4	:	Anjali Bhavana	15/05/2026
PW5	:	Biju.V.	15/05/2026

Witness for defence :

Nil

Exhibits for the prosecution

P1	:	FIS, Proved by PW1	21/04/2026
P2	:	Scene Mahazer, Proved by PW4	15/05/2026
P3	:	Community Certificate, Proved by PW4	15/05/2026
P4	:	Community Certificate, Proved by PW4	15/05/2026

P5	:	FIR in Koppam P.S., Proved by PW4	18/04/2026
P6	:	FIR in Karunagappally P.S., Proved by PW4	15/05/2026
P7	:	FIR in Kilikkolloor P.S., Proved by PW4	15/05/2026
P8	:	Mahazer in Karunagappally P.S., Proved by PW5	15/05/2026
P9	:	Mahazer in 3 rd witness of Karunagappally P.S., Proved by PW5	15/05/2026
P10	:	Mahazer in Motor Vehicle, Proved by PW5	15/05/2026
P11	:	Admission Extract from Govt.H.SS, Koppam, Proved by PW5	15/05/2026
P12	:	Inspection Report including Addl. Charge of Karunagappally P.S., Proved by PW5	15/05/2026
P13	:	Birth Certificate of the victim, Proved by PW5	15/05/2026
P14	:	Arrest Memo, Proved by PW5	15/05/2026
P15	:	Inspection memo , Proved by PW5	15/05/2026
P16	:	Arrest Intimation, Proved by PW5	15/05/2026
P17	:	Potency Certificate, Proved by PW5	15/05/2026

Exhibits for defence : Nil

Court Exhibits : Nil

Material Objects : : Nil

Sd/-
Special Judge.

Copied by:
Compared by :

TABULAR FORM AS PER RULE 132 OF CRIMINAL RULES OF PRACTICE

1.	Serial No.	:	SC-1218/2025
2.	Name of police station & Crime No.	:	Crime No.1774/2024 of Karunagappally Police Station.

Description of the accused

3.	Name	:	Yedu Krishnan,
4.	Father's Name	:	Ramakrishnan
5.	Occupation	:	--
6.	Residence	:	Kalluvila Puthen Veedu, Thattarkonam cherry, Thrikkovilvattom Village. Residing at MinimolVeedu, Punukkonnor Cherry, Alummoodu P.O., Kottankara Village.
7.	Age	:	25 years

Dates of

8.	Occurrence	:	05/08/2024
9.	Complaint	:	30/11/2024
10.	Apprehension	:	30/11/2024
11.	Released on bail	:	15/01/2025
12.	Commitment	:	--
13.	Commencement of trial	:	21/04/2026
14.	Close of trial	:	25/05/2026
15.	Sentence or order	:	12/06/2026
16.	Service copy of order	:	-
17.	Cause of delay	:	No delay
18.	Period of detention undergone during investigation, enquiry of trial for the purpose of Sec. 428 of Cr.P.C.	:	--

Sd/-
Special Judge

J U D G M E N T

in

SC No.1218/2025

Dated:12/06/2026

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