

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,  
TALIPARAMBA

PRESENT : Sri. Anuraj.M.V.,

Judicial First Class Magistrate, Taliparamba

Dated this the 28<sup>th</sup> day of March, 2026/7<sup>th</sup> day of Chaithra, 1948

**Calender case No. 618/2024**

Complainant : State represented by the S.I of  
Police, Taliparamba police station in  
Crime No. 468/2024  
(By Sri.Abdussatar.V.P., A.P.P.)

Accused : Ifthicker Ahammed.B.  
(By Adv. K.Kuttykrishnan)

Offence : U/s. 354, 354(A)(i)(I) IPC

Plea : Not guilty

Finding : Not guilty

Sentence/Order : Accused is acquitted U/s. 248(1) of Cr.PC.

**Description of accused**

| Sl.<br>No | Name                    | Father's<br>Name | Residence            | Occupation | Age   |
|-----------|-------------------------|------------------|----------------------|------------|-------|
| 1         | 2                       | 3                | 4                    | 5          | 6     |
| 1         | Ifthicker<br>Ahammed.B. | Muhammad         | Achoos, Pazhayangadi | -----      | 51/24 |

Date of :-

| Occurren<br>ce | Complai<br>nt | Apprehensi<br>on of<br>appearance | Released on<br>bail | Commen<br>cement<br>of trial | Close of<br>trial | Sentence/<br>Order | Explanat<br>ion of<br>delay |
|----------------|---------------|-----------------------------------|---------------------|------------------------------|-------------------|--------------------|-----------------------------|
| 13-05-24       | 13-05-24      | 10-06-24                          | 27-06-24            | 07-08-24                     | 25-03-26          | 28-03-26           |                             |

## ***JUDGMENT***

This is a case charge sheeted by the Sub Inspector of police, Taliparamba police station in crime No. 468/24 against accused alleging commission of offences punishable U/s. 354, 354(A)(i)(I) IPC.

2. The prosecution case in brief is as follows:- On 13.05.2024 at about 02.30 am at Parassinikadavu in Anthoor amosm, the accused caught hold the breast of PW1 and thereby outraged her modesty. Thus, the accused committed offences punishable U/s. 354, 354(A)(i)(I)IPC.

3. Accused appeared before the court and he was released on bail. Copies were furnished. After hearing and as there was no ground for discharge, charge was framed, read over and explained to the accused. He pleaded not guilty. Hence evidence was recorded. Prosecution examined PW1 and PW2 witnesses and Ext.P1 document was marked. As the material witnesses turned hostile to prosecution, remaining witnesses were given up by the Assistant Public Prosecutor. As nothing was incriminating against the accused, his questioning u/s. 313 Cr.PC. was dispensed with.

4. The following points arise for consideration.

- (1) Has the prosecution proved that the accused assaulted PW1 with intent to outrage her modesty and thereby committed the offence punishable u/s. 354 of IPC?
- (2) Has the prosecution proved that the accused had sexually harassed PW1 and thereby committed the offence punishable U/s. 354 A (I)(i) IPC?
- (3) If found guilty what is the order as to sentence and punishment?

5. **Point Nos. 1 and 2 :-** For the sake of convenience and to avoid repeated discussion of the same evidence these points are considered together. PW1 is the informant who deposed that on 13.05.2024, a person assaulted her due to which she filed Ext.P1 first information statement. PW1 further deposed that she couldn't identify the culprit and she also stated that she had given the name of the accused only on the basis of misunderstanding. PW1 further deposed that the matter was settled with the accused and she had no complaint against the accused. PW2 is the sister of PW1 who deposed that on 13.05.2024, a person assaulted PW1 but she deposed that she does not know who had committed those acts. PW2 further deposed that she had given the name of the accused only on the basis of hearsay knowledge and she also deposed that the matter was settled with the accused. PW2 further deposed that CW2 is her daughter and she is now 17 years of age and CW2 had no complaint against the accused.

6. Though learned APP put questions to PW1 and PW2 which might be asked in cross examination nothing could be brought out to discredit the witnesses. As the material witnesses failed to support the case of the prosecution, learned APP has rightly given up the remaining witnesses. On an overall appreciation of evidence on record, i am satisfied that the prosecution failed to prove the guilt of accused beyond reasonable doubt. Therefore, accused is entitled for an order of acquittal. The points are answered against the prosecution.

7. **Point No. 3 :-** In the light of the discussions above it is found that accused is not guilty of the offences punishable u/s. 354, 354(A)(i)(I) IPC and is acquitted of the offences u/s. 248 (1) Cr.PC. He is set at liberty and is discharged of the bail bond.

( Dictated to the confidential assistant, transcribed and typed by her corrected and pronounced by me in open court, on this, the 28<sup>th</sup> day of March 2026).

Sd/-  
JUDICIAL FIRST CLASS MAGISTRATE,  
TALIPARAMBA

## APPENDIX

### List of Prosecution/Defence/Court witnesses

#### A. Prosecution witnesses

| Rank | Name     | Whether Eye witness, Police witness, Expert witness, Medical witness, Other witness |
|------|----------|-------------------------------------------------------------------------------------|
| PW1  | Asifa.K. | Eyewitness                                                                          |
| PW2  | Arifa.K. | Eyewitness                                                                          |

B. Defence witness : NIL

C. Court witness : NIL

### List of Prosecution/Defence/Court Exhibits

#### A. Prosecution Exhibits

| Sl.No. | Exhibit number | Description                                  |
|--------|----------------|----------------------------------------------|
| 1      | Ext.P1         | First information statement dated 13.05.2024 |

B. Defence Exhibits : NIL

C. Court Exhibits : NIL

D. Material Objects : NIL

Sd/-  
JUDICIAL FIRST CLASS MAGISTRATE,  
TALIPARAMBA

//True copy//