

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,  
TALIPARAMBA

PRESENT : Sri. Anuraj.M.V.,

Judicial First Class Magistrate, Taliparamba

Dated this the 18<sup>th</sup> day of March, 2026/27<sup>th</sup> day of Phalguna, 1947

**Calender case No. 1013/2024**

Complainant : State represented by the S.I of  
Police, Sreekandapuram police station in  
Crime No. 425/2024  
(By Sri. Abdussatar.V.P., A.P.P.)

Accused : Junaid.K.  
(By Adv. Muhammed Aneef.P.)

Offence : U/s.341, 323, 506, 498(A) IPC

Plea : Not guilty

Finding : Not guilty

Sentence/Order : Accused is acquitted U/s. 271 of BNSS.

Description of accused

Sl. No	Name	Father's Name	Residence	Occupation	Age
1	2	3	4	5	6
1	Junaid.K	C.T.Muhammad Musliyar	Kozhukkal (H), Pattuvam amsom, Ariyil	-----	41/24

Date of :-

Occurrence	Complaint	Apprehension of appearance	Released on bail	Comment of trial	Close of trial	Sentence /Order	Explanation of delay
21-10-18 onwards	27-06-24	26-07-24	26-07-24	19-05-25	18-03-26	18-03-26	

## ***JUDGMENT***

This is a case charge sheeted by the Sub Inspector of police, Sreekandapuram police station in crime No. 425/24 against accused alleging commission of offence punishable U/s. 341, 323, 506, 498(A) IPC.

2. The prosecution case in brief is as follows:- On 21/10/2018, while PW1 was residing along with the accused after their marriage, accused subjected her to cruelty demanding more dowry and on 20.03.2024, the accused wrongfully restrained PW1, voluntarily caused hurt to her with hands and criminally intimidated her. Thus, the accused committed offence punishable U/s. 341, 323, 506, 498(A) 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 witness and Ext.P1 document was marked. As the material witness 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. 351(1)(b) BNSS was dispensed with.

4. The following points arise for consideration.

- (1) Has the prosecution proved that accused wrongfully restrained PW1 and thereby committed the offence punishable U/s. 341 of IPC?
- (2) Has the prosecution proved that accused voluntarily caused hurt to PW1 with hands and thereby committed the offence punishable U/s.323 of IPC?

- (3) Has the prosecution proved that accused criminally intimidated PW1 and thereby committed the offence punishable U/s. 506 of IPC?
- (4) Has the prosecution proved that accused inflicted cruelty to PW1 demanding more dowry and thereby committed the offence punishable U/s. 498(A) of IPC?
- (5) If found guilty what is the order as to sentence and punishment?

5. **Point No. 1 to 4** :- 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 she filed Ext.P1 complaint that accused harassed her. PW1 further deposed that the matter was settled with the accused and she had no complaint against the accused. PW1 further deposed that she had given the complaint only on the basis of misunderstanding.

6. Though learned APP put questions to PW1 which might be asked in cross examination nothing could be brought out to discredit the witness. As the material witness 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. 341, 323, 506, 498(A) IPC and he is acquitted of the offences u/s. 271 of BNSS. 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 18<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	Sameera.C.A.	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/PW1	Complaint dated 27.06.2024

B. Defence Exhibits : NIL

C. Court Exhibits : NIL

D. Material Objects : NIL

Sd/-  
JUDICIAL FIRST CLASS MAGISTRATE,  
TALIPARAMBA

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