

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, PAYYANNUR

Present: Kum. Laksh mipriya. T. K.,
Judicial First Class Magistrate.

Tuesday, the 31st day of March, 2026/10th day of Chaithra, 1948

CALENDER CASE No.912/2024

Complainant : The SHO, Pariyaram MC Police Station,
Crime No.175/2024

(By APP Grade – I, Payyannur)

Accused : 1. Muhammad Hashir. P., S/o Farrook,
Aged 18/24, Thoufeek Manzil,
Elamberampara, Kooveri amsom.

2. Mazhar Manu V V, S/o Shameer,
Aged 19/24, Panappuzha, Vazhavalappil
(H), Muthukuda, Pattuvam.

(By Adv. Sri. K Moideenkutty & Adv. Sri.
Mujeeb Rehman. K P)

Offence : U/s 341,323 r/w 34 of IPC & S. 4 of Kerala
Prohibition of Ragging Act.

Plea : Not Guilty.

Finding : Not Guilty.

Sentence or Order : Both accused are acquitted u/s 255(1) of
Cr.P.C.

DESCRIPTION OF ACCUSED

Sl. No.	Name of the P.S.& No. Cr. of offence	Name	Father's Name	Occupation	Residence	Age
1.	Pariyaram MC PS, Muhammad Hashir P Cr.No.175/24,	Muhammad Hashir P	Farook	Kooveri	18/24
2.	Pariyaram MC PS, Mazhar Manu V V Cr.No.175/24,	Mazhar Manu V V	Shameer	Pattuvam	19/24

Date of:

1. Occurrence	: 06.03.2024
2. Complaint	: 08.03.2024
3. Apprehension	: A1 on 13.09.2024, A2 on 13.12.24
4. Release on bail	: A1 on 13.09.2024, A2 on 13.12.24
5. Commitment	: ...
6. Commencement of trial	: 06.03.2025
7. Commencement of evidence	: 18.02.2026
8. Close of trial	: 30.03.2026
9. Sentence or order	: 31.03.2026
10. Service copy of judgment	: Copy is ready
11. Explanation for delay	: No delay
12. Period of detention undergone during investigation, inquiry or trial for the purpose of section 428 CrPC	: ...

This case came up for consideration during today's proceedings and the court delivered the following:

J U D G M E N T

This is a case instituted upon final report filed by Sub Inspector of police Pariyaram MC PS in Cr. No. 175/2024 for the offence punishable u/s 341,323 r/w 34 of IPC & S. 4 of Kerala Prohibition of Ragging Act.

2. **Prosecution case in brief is as follows:** On 06.03.2024 at 15.30 hours at the road at Karakkund in Panappuzha amsom, the 1st and 2nd accused who were the senior students of MM Knowledge arts & Science college, wrongfully restrained CW1, who is the junior student of the college, due to previous enmity towards CW1 as he posted a group photo in Instagram and

beat him with hand and caused injury to him and also ragged him. Thereby the accused committed the aforesaid offences.

3. On appearance of accused they are released on bail. Copies of all relevant prosecution records were furnished to them u/s 207 Cr PC. Particulars of offences were stated to them to which they pleaded not guilty and claimed to be tried.

4. In order to prove the prosecution case PW1 to PW4 examined and Ext P1 to P12 were marked. Since PW1 to PW3 turned hostile to the prosecution case, there is no material evidence, the Learned Asst. Public Prosecutor rightly given up the remaining witness and the prosecution evidence closed. Since there are no incriminating circumstances against the accused, the questioning of the accused u/s 313 CrPC dispensed with. No evidence was adduced from the side of defence.

5. Heard both sides.

6. Point arise for consideration:

1) Whether the accused in furtherance of the common intention wrongfully restrained PW1 and thereby committed the offence u/s 341 of IPC?

2) Whether the accused in furtherance of the common intention voluntarily caused hurt to PW1 and thereby committed the offence u/s 323 of IPC?

3) Whether the accused committed Ragging within the educational institution as alleged by the prosecution and thereby committed offence punishable u/s. 4 of Kerala Prohibition of Ragging Act ?

4) If so, what is the proper order or sentence?

7. **Point No.1 to 3:** These points are considered together for the sake of convenience. CW1 is the defacto complainant who is examined as PW1. PW1 deposed that he is residing at Taliparamba and on 06.03.2024 at 03.30 pm, a group of persons wrongfully restrained and beat him with hand and caused injury to him and also ragged him and he took treatment at hospital. He has given complaint to the Pariyaram medical college police station which is marked as Ext.P1. But he further deposed that he has not known the assailants as a group of persons are there. He turned hostile to the prosecution case. He further deposed that he has no complaints against the accused as the matter has been settled between them.

8. PW2 and PW3 are the eyewitnesses to the incident. They categorically deposed that they saw the incident as CW1 was assaulted and ragged by a group of persons. But they further deposed that they have not known the assailants as a group of persons are there. They turned hostile to the prosecution case. Hence the learned Asst. Public Prosecutor is permitted to put question as contemplated u/s 154 of Indian Evidence Act/157 of BSA, but nothing could be brought out in support to prosecution.

9. CW10 is the Grade SI of Pariyaram MC PS who is examined as PW4. PW4 deposed that he has taken over the investigation on 06.03.2024 and prepared scene mahazar as pointed out by CW1, Soofiyan and the scene mahazar is marked as Ext.P2. He further deposed that he has seized the

documents from the college as per seizure mahazar which is marked as Ext.P3 and the document list is marked as Ext.P4. The investigation report of ragging commission and the decisions of ragging committee and the notice of suspension are marked as Ext.P5series. The section 4 of Ragging act adding report is marked as Ext.P6. Ext.P7 series are the 41 A notice given to the accused persons. The name and address report of the accused is marked as Ext.P8. He further deposed that he has seized the attendance register of the MM Knowledge arts & Science college which is marked as Ext.P9 and the attendance register was given to the college authorities as the same was highly necessary to the day to day activities of the college. Certified copies of the attendance register are marked as Ext.P10 series. He further deposed that he has recorded the statement of CW1 to CW9 and he has produced the wound certificate of CW1 from CW8 which is marked as Ext.P11. He further deposed the crime of this case is registered by Subhash Kokkadan and he is working along with him and he has known the handwriting and signature of the Subash and he identified the signature of Suhash in FIR and the FIR is marked as Ext.P12. He further deposed that he has completed the investigation and filed charge sheet against the accused.

10. PW4 is the police official who deposed the role played by him at the investigation stage. The prosecution had not adduced any other evidence to bring home the guilt of the accused. Hence this court finds that the

prosecution has failed to prove the case against the accused beyond reasonable doubt. Therefore, these points are answered against the prosecution.

11. **Point No.4:** In view of my finding on point No. 1 to 3, both accused are found not guilty of the offences punishable u/s. 341,323 r/w 34 of IPC & S. 4 of Kerala Prohibition of Ragging Act.

In the result,

Both accused are acquitted u/s 255(1) of CrPC of the offence punishable u/s. 341,323 r/w 34 of IPC & S. 4 of Kerala Prohibition of Ragging Act and accordingly their bail bonds stand cancelled and they are set at liberty.

(Dictated to Confidential Assistant, transcribed and typed her, corrected and pronounced by me, in open court this on the 31st day of March, 2026)

Sd/-
Judicial First Class Magistrate,
Payyannur.

APPENDIX:

WITNESSES FOR THE PROSECUTION :

PW1	Abu Soofiyam	Defact complainant
PW2	Shabeer	Eye witness
PW3	Shahad	Eye witness
PW4	Vinayan	Investigating officer

EXHIBITS FOR THE PROSECUTION :

- Ext.P1/PW1 FI Statement dtd. 08.03.24
Ext.P2/PW4 Scene mahazar dtd. 09.03.24
Ext.P3/PW4 Seizure mahazar dtd. 25.03.24
Ext.P4/PW4 Document list dtd. 25.03.24
Ext.P5series/PW4 Ragging committed report & connected documents dtd. 25.03.24
Ext.P6/PW4 Ragging act adding report dtd. Nil
Ext.P7series/PW4 S. 41 A notice dtd. 25.03.24
Ext.P8/PW4 Name and address report of accused dtd. 25.03.24
Ext.P9/PW4 Seizure mahazar dtd. 01.04.24
Ext.P10series/PW4 Certified copy of attendance register dtd. Nil
Ext.P11/PW4 Wound certificate of CW1 dtd. 07.03.24
Ext.P12/PW4 FI Report dtd. 08.03.24

MATERIAL OBJECTS MARKED : Nil.

WITNESSES FOR THE DEFENCE : Nil.

EXHIBITS FOR THE DEFENCE : Nil.

MATERIAL OBJECTS MARKED : Nil.

Sd/-
Judicial First Class Magistrate
Payyannur.

//True copy//

Judicial First Class Magistrate
Payyannur.