T A B U L A R F O R M

1	Serial Number	:	Sessions Case No.156/2025
2	Name of Police Station and Crime No. of the offence	:	Alakode Police Station Crime No.1307/2023.

DESCRIPTION OF THE ACCUSED

3.Name	4. Father's Name	5.Occupation	6. Residence	7. Age
Vinu Rajendran	S/o. Rajendran	–	Kiliyan Thottiyil House, Kodopalli, Chittadi P.O., Thimiri Amsom. Now residing at Kakkadavu, Alakode Amsom.	32/24

DATE OF

8. Occurrence	From 19.10.2016 until 10.11.2016
9. Complaint	02.11.2023
10. Apprehension of the accused	24.02.2025
11. Released on bail	24.02.2025 (Bailed by Police as per the Order of Hon'ble High Court).
12. Commitment	--
13. Commencement of trial	22.01.2026
13A. Commencement of evidence	12.03.2026
14. Close of Trial	12.03.2026
15. Sentence/Order	21.03.2026
16. Service of copy of Judgment or finding on accused.	--
17. Explanation for delay	--
18. Period of detention undergone during investigation, inquiry or trial for the purpose of Section 428 Cr.P.C.	Arrested on 24.02.2025 and released on the same day.

Fast Track Special Court, (Sd/-)
Taliparamba. SPECIAL JUDGE,
Dated : 21.03.2026 FAST TRACK SPECIAL COURT, MATTANNUR,
(IN CHARGE OF SPECIAL JUDGE, TALIPARAMBA).

FAST TRACK SPECIAL COURT, TALIPARAMBA

Present:- Smt. Anit Joseph, Special Judge, Mattannur,

(In Charge of Special Judge, Taliparamba).

Saturday, the 21st day of March, 2026/30th Phalguna, 1947.

SESSIONS CASE No.156 OF 2025

(Crime No.1307/2023 of Alakode Police Station).

Complainant	State: SHO, Alakode Police Station. Prosecution conducted by Smt. Sherymol Jose, Spl. Public Prosecutor, Taliparamba.
Accused	Vinu Rajendran, S/o. Rajendran, Kiliyan Thottiyil House, Kodopalli, Chittadi P.O., Thimiri Amsom. Now residing at Kakkadavu, Alakode Amsom. Accused defended by Adv. A.V. Sajith Kumar.
Charge	U/s.450, 376, 376(2)(n) and 354 of IPC.
Plea of the accused	Not guilty
Finding of the Judge	Not guilty
Sentence/Order	The accused is acquitted of the offences punishable under Sec. 450, 376(2)(n) and 354 A(1)(i)(2) of IPC, under section 258(1) of BNSS. He is set at liberty, his bail bond is discharged.

This case coming on for hearing before me, upon perusing the records of evidence and proceeding and upon duly considering the same after hearing the Public Prosecutor and Counsel for the accused on 12.03.2026, I do adjudge the following :-

J U D G M E N T

This is a case instituted upon a final report filed by the Inspector of Police, Alakode Police Station in Crime No.1307/2023 of that Police Station. In the case, the accused person named above stands charged for the offenses punishable under section 450, 376, 376(2)(n) and 354 of IPC.

2. The case of the Prosecution, as revealed from the materials available on record, in brief, is that on October 19, 2016, at 12 midnight, the accused had trespassed to her bedroom by giving the promise to marry her and committed rape. Then on several days till November 2016, the accused raped the survivor several times, by repeating the promise to marry.

3. The FIR in the case was registered by CW14 Sub Inspector of Police, Alakode Police Station. The first investigation was conducted by CW15, Inspector of Police, Kudiyanmala Police Station, In charge of Alakode Police Station, and further investigation was conducted by CW16 Inspector of Police, Alakode Police Station and final investigation was conducted by CW17 and after completing the investigation he laid a final report before the Court.

4. On filing the final report, the Learned Judicial First Class Magistrate Taliparamba, took the case on file as CP.100/2024. After complying all the legal formalities and after duly complying with the mandatory provisions of section 232 BNSS, the case was committed for trial to the Court of Sessions Thalassery.

5. The case was taken on the file of Honorable Court of Sessions Thalassery, as SC 156/2025. Thereafter the case was considered by First Additional District and Sessions Court, Thalassery. Upon an application, the accused was exempted from personal appearance by the First Additional District and Sessions Court, Thalassery.

6. Later, the case was transferred to this court for disposal as per the order of Hon'ble Sessions Judge, Thalassery, dated 01.08.2025. As exemption was already granted to the accused his counsel appeared before this court on 22.09.2025. On this occasion, copies of prosecution materials were duly served to him.

7. Thereafter both prosecution and defence were heard about the grounds of allegations leveled against the accused and the evidence proposed to be adduced by prosecution to prove the guilt of the accused. After hearing both sides, and after perusing the materials available before the court, I found that there is ground for presuming that the accused had committed the offences punishable under sections 450, 376(2)(n) and 354 A(1)(i)(2) of IPC. Hence, charges under said section were framed against the accused through video conference as provided under section 251(2) of BNSS. Charges were read over to the accused in Malayalam, to which he pleaded not guilty and claimed to be tried.

8. In order to prove the prosecution case, PW1 was examined and Exts.P1 was marked. The victim testified as PW1, did not support the prosecution. Hence, the remaining witnesses were given up by the Special Public Prosecutor.

9. Since there was no incriminating evidence against the accused, his examination under Sec. 351 of BNSS was dispensed with.

10. Then both sides were heard under Sec.255 of BNSS. After hearing both sides and perusing the evidence on record, I found that there is no scope to proceed further. Thereafter, I heard the learned Special Public Prosecutor as well as the learned defence counsel.

11. Now the points that arise for consideration are:-

1. Has the prosecution succeeded in proving that on 19th October 2016 at 12 AM and many subsequent days until 10th November 2016, the accused criminally trespassed into the house of PW1 inorder to commit an offense punishable with life imprisonment, thereby committed the offence punishable under section 450 of IPC.

2. Has the prosecution succeeded in proving that on 19th October 2016 at 12AM, and many subsequent days until 10th November 2016, the accused, after convincing the survivor that he would marry her, repeatedly raped her, thereby committed the offence punishable under section 376(2)(n) of IPC?

3. Has the prosecution succeeded in proving that on January 2, 2023 at Ezharakundu in Eruvessy amsom, at the cliff in the middle of the river, the accused intentionally to outrage the modesty of PW1, hugged her without her permission, thereby committed the offence punishable under section 354A(1)(i)(2) IPC ?
4. If the accused is found guilty of any of the offences, what shall be the sentence to be imposed?

12. **Points No.1 to 3**:- These points are interlinked and the evidence to be appreciated is also the same. Hence, for the sake of convenience and brevity these points are being discussed together. PW1 is the complainant/victim, who is alleged to have been subjected to sexual assault by the accused. Before the court, PW1 denied the incident stating that the alleged sexual assault never took place. Although PW1 had identified Ext.P1 FIS and the relevant portion of her statement under Section 164 Cr.PC, she did not adduce evidence in tune with the said documents. In court PW1 categorically denied the allegations in those documents. This has completely shattered the prosecution case.

13. According to PW1, the accused was her neighbour and they were in love. However, while the relationship was ongoing, the accused began a love affair with another girl; out of a grudge resulting from this, she filed the Ext.P1 complaint. PW1 categorically stated that the accused never committed sexual assault on her. When the Learned Special Public Prosecutor asked

questions in the nature of cross-examination with the permission of the court, as provided under section 157 of BSA, PW1 repeated the same version. She stood firm on her words throughout her evidence. The evidence of the victim would not in any manner help the prosecution.

14. Though PW1 was strenuously cross examined by the learned Special Prosecutor with the permission of the court, nothing favorable to prosecution could be elicited from her mouth. She blatantly denied sexual assault by the accused. What is important is the oral evidence of the survivor and her relatives, and all other evidence, including medical evidence is only subsidiary. That apart, the disowned statement of a witness recorded under Section 183 of BNSS has no evidentiary value. There is absolutely no linking evidence to prove that the accused had committed the offenses charged against him. What could be gathered from the evidence is a false case, motivated by a silly grudge.

15. After evaluating the evidence of prosecution, the defence version and hearing both sides, I found that there is no evidence to believe that the accused person had committed the offences charged against him. The upshot of the discussion is that prosecution has not succeeded in proving the case by adducing convincing and cogent evidence. Point No.1 to 3 are found against the prosecution.

16. **Point. No.4**:- In view of my finding on points No.1 to 3 the accused is found not guilty of the offenses charged against him. Hence, this point does not arise for consideration.

In the result, the accused is acquitted of the offences punishable under Sec. 450, 376(2)(n) and 354 A(1)(i) (2) of IPC, under section 258(1) of BNSS. He is set at liberty, his bail bond is discharged.

(Prepared by me and pronounced by me in open court on the 26th day of March, 2026).

(Sd/-)
ANIT JOSEPH, SPECIAL JUDGE,
FAST TRACK SPECIAL COURT, MATTANNUR,
(IN CHARGE OF SPECIAL JUDGE, TALIPARAMBA).

APPENDIX:-

WITNESSES FOR THE PROSECUTION:-

Rank	Name	Whether eye witness, Police witness, Expert witness, Medical witness, Other witness
PW1	Victim	Eye witness

PROSECUTION EXHIBITS:-

Sl.No.	Exhibit No.	Description	Date
1	P1/PW1	FIS	02.11.2023

WITNESS FOR THE DEFENCE :- Nil

EXHIBITS FOR THE DEFENCE :- Nil

MATERIAL OBJECTS:- Nil

(Sd/-)
SPECIAL JUDGE,
FAST TRACK SPECIAL COURT, MATTANNUR,
(IN CHARGE OF SPECIAL JUDGE, TALIPARAMBA).