

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I, PALA

Present: Sri. Padmakumar G, Judicial First Class Magistrate -1

Friday the 12th day of August 2022/21st Sravana 1944

C.C.1045/2018

Complainant : State -represented by the S.I of Police,
Kuravilangadu Police Station in
Cr.No.954/2018.

(By Swapna C, APP,Gr.II, Pala.)

Accused 1. Martin, Aged 28, S/o.Thomas, Mundiyanippuram
House, Kurianadu Kara, Monippally Village,
Meenachil Taluk.

Offence : Punishable u/ss.332 IPC.

Finding : Not guilty

Sentence or order Accused is acquitted u/s.248(1) Cr.P.C

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DESCRIPTION OF ACCUSED

Name	Father's name	Occupation	Residence	Age
Martin	S/o.Thomas	nil	Monippally	28

Dates of

Occurrence	Complaint	Appearance	Release on bail	Commence- ment of trial	Close of trial	Sentence or order
29/08/2018	04/10/2018	31/08/2018	05/09/2018	05/09/2018	12/08/2022	12/08/2022

This case coming on for hearing before me on 12/08/2022 and this day the Court passed the following:-

J U D G M E N T

1. This case arose on a final report submitted by the S.I of Police, Kuravilangadu Police Station in Cr.No.954/2018 alleging offences Punishable u/ss.332 IPC against the accused.

2. The prosecution case in brief is as follows:- With the intention to obstruct the duty of CW1, at 4 p.m on 29/08/2018, while CW1 was entering into the Muniyabnippuram House for serving revenue recovery notice, the accused attacked him in many ways. Thus the accused committed the afore stated offences.
3. On appearance of the accused, copies of the prosecution records were furnished to him. Charge was framed u/ss.332 IPC which were read over and explained to the accused to which he pleaded not guilty.
4. Prosecution cited CW1 to CW8 examined CW1 as PW1 and Ext.P1 was marked. He did not support the prosecution. Hence prosecution evidence was closed as APP has given up the examination of remaining witnesses. Since no incriminating circumstances are brought out against the accused, examination of the accused u/s 313(1) (b) CrPC is dispensed with. No defence evidence was adduced.
5. Heard both sides.
6. Following points arise for consideration:-
 - i. Did the accused commit the offence u/s.332 IPC as alleged by the prosecution?
 - ii Sentence or order if any?
7. **Point.No.i :-** PW1 is the complainant in this case who gave Ext.P1 FI statement to police. According to him, the incident happened on 29/08/2018. When PW1 came to the house of the accused for serving revenue recovery notice, there occurred an altercation between him and the accused. But he denied all the prosecution and turned hostile according to the prosecution.

8. From the forgoing evidence it can be seen that there is no evidence to prove the involvement of the accused in the crime. Hence, prosecution miserably failed to prove its case beyond any reasonable doubt. Thus point No.1 is found against the prosecution.
9. **Point No.ii:-**In the result, I find that the accused is found not guilty of the offence Punishable u/ss.332 IPC and he is acquitted u/s.248(1) Cr.P.C. His bail bond stands cancelled and he is set at liberty. Mos, if any, shall be disposed of after the period of appeal, if no appeal is preferred.

Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, this the 12th day of August 2022.

Sd/-
Padmakumar.G
Judicial First Class Magistrate-I
Pala

APPENDIX:

Witness for the prosecution:

PW1	Abhilash
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Exhibits for the prosecution:

P1 : FI statement dated.29/08/2018 proved by PW1

Witnesses and Exhibits for the defence:- NIL

Material object: Nil

Sd/-
Judicial First Class Magistrate-I
Pala