

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I,  
CHANGANACHERRY**

Present:- Sri.Anil Kumar. T.S, Judicial I Class Magistrate

Dated this the, 16<sup>th</sup> day of March, 2026  
25<sup>th</sup> day of Phalguna, 1947

**CC No.602/2024**

Complainant : State represented by the Inspector of Police,  
Thrikkodithanam Police Station in  
Crime No.1167/2023.

*(By Smt.Rishna Rahim, APP Changanacherry)*

Accused A1 Muhammed Faris, Aged 31/24, S/o Abdul Rahim,  
Rafa Cottage, Zachariah Ward,  
Alappuzha Bazar P.O, Alappuzha.

A2 Fathimuthu K, Aged 59/24, W/o Abdul Rahim,  
Rafa Cottage, Zachariah Ward,  
Alappuzha Bazar P.O, Alappuzha.

*(By Adv.P S Navas)*

Offence : U/s.498-A, 294(b), 323 and 325 r/w 34 of the Indian  
Penal Code, 1860.

Plea : Not guilty

Finding : Not guilty

Sentence/Order : Accused are acquitted u/s.248(1) of Cr.P.C. Their bail  
bonds stand discharged and they are set at liberty.

**Date of:-**

Offence	Report of complaint	Apprehension/ Appearance of accused	Release on bail	Commencement of trial	Close of trial	Sentence of order	Explanation for delay and remarks
01.10.19- 16.07.23	01.08.23	03.11.25	03.11.25	17.01.26	12.03.26	16.03.26	---

**Description of Accused**

Name of accused	Age	Father's Name	Caste or Religion	Calling	Residence	Taluk
Muhammed Faris	31/24	Abdul Rahim	Muslim	---	Rafa Cottage	Alappuzha
Fathimuthu	59/24	W/o Abdul Rahim	Muslim	---	Rafa Cottage	Alappuzha

This case having been finally heard on 12.03.2026 and posted for judgment to 16.03.2026 and the court on the same day delivered the following:-

**J U D G M E N T**

The final report in this case has been filed by the Inspector of Police, Thrikkodithanam Police Station against the accused, in crime No.1167/2023 alleging the offences punishable u/s.498-A, 294(b), 323 and 325 r/w 34 of the Indian Penal Code, 1860.

2) Prosecution case in brief is as follows:- The 1<sup>st</sup> accused is the husband of the de facto complainant and the 2<sup>nd</sup> accused is her mother in law. With the intention of causing disaffection and despair in the married life between the 1<sup>st</sup> accused and the de facto complainant, on 16.07.2023 at Kadamboor Village, the accused uttered obscene words against the parents of the de facto complainant. A1 hit with his head on the nose of the de facto complainant and thereby caused a fracture to her nasal bone. Thus, the accused have committed the offences punishable under sections 498-A, 294(b), 323 and 325 r/w 34 of the Indian Penal Code, 1860.

3) On filing the final report, summons was issued to accused. They

appeared and copies of prosecution records were furnished to them. After hearing both sides and after considering the prosecution records, charges under above offences were framed, read over and explained to the accused to which they pleaded not guilty and claimed to tried.

4) The prosecution has examined PW1. Ext.P1 FIS was marked. PW1 retracted from the prosecution case and the learned APP has given up examination of the remaining witnesses. As no incriminating circumstances were brought out against the accused, their examination under S.313 (1) (b) Cr.PC was dispensed with.

5) Heard both sides.

6) The following points arise for determination:-

- i. Whether the accused, who are husband and mother-in-law of the defacto complainant, physically and mentally ill-treated her and thereby committed the offence under section 498-A r/w 34 of IPC?
- ii. Whether the accused persons, in furtherance of their common intention, used obscene words against parents of the defacto complainant on 16.07.2023 at Kadamboor Village and thereby committed the offence punishable under section 294 (b) of IPC as alleged?
- iii. Whether A1, voluntarily caused hurt to at the above mentioned place, on aforesaid day and thereby committed the offence punishable under section 323 of IPC as alleged?
- iv. Whether A1 voluntarily caused grievous hurt to the defacto complainant at the above mentioned place, on aforesaid day and thereby committed offence punishable u/s.325 of IPC as alleged?

v. Sentence or order, if any ?

7) **Point nos.1 to 4:-** The defacto complainant was examined as PW1. Ext.P1 is the FIS given by PW1. She admitted her signature in Ext.P1. But PW1 turned hostile to the prosecution by stating that the matter has been amicably settled and she is not interested to proceed the case against the accused persons.

8) Since, PW1 turned hostile to the prosecution case, the remaining witnesses were rightly given up by the learned Assistant Public Prosecutor. Considering the available evidence, I am of the view that prosecution failed to prove the allegation levelled against the accused. This points are found against the prosecution.

9) **Point no.5:-** In view of the finding on point nos.1 to 4, accused are found not guilty of the offences punishable u/s.498-A, 294(b), 323 and 325 r/w 34 of the Indian Penal Code, 1860.

In the result, accused are found not guilty of the offence punishable u/s.498-A, 294(b), 323 and 325 r/w 34 of the Indian Penal Code, 1860 and they are acquitted u/s.248(1) of Cr.P.C. Their bail bonds stand discharged and they are set at liberty.

*(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, this the 16<sup>th</sup> day of March, 2026)*

Judicial First Class Magistrate – I  
Changanacherry

**APPENDIX:**

**Witness for the prosecution:**

PW1/CW1 - Smt.Sumiya Mohammed Shaheer - 17.02.2026

**Exhibits for the prosecution:**

P1- FIS marked through PW1 on 17.02.2026

**Witness and Exhibits for the defence :**

Nil

Judicial First Class Magistrate -1  
Changanacherry