

**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.1333/2022**

Complainant : State represented by the Sub Inspector of Police, Chingavanam Police Station in Crime No.1587/2022.  
(By Smt.Rishna Rahim, APP Changanacherry)

Accused : Joby Issac, Aged 26/22, S/o Issac, Valiyaparambil (H), Chingavanam P.O, Nattakom Village.  
(By Adv.S Anil)

Offence : U/s.354(A) of the Indian Penal Code, 1860 and 119(a) of KP Act.

Plea : Not guilty

Finding : Not guilty

Sentence/Order : Accused is acquitted u/s.248(1) of Cr.P.C. His bail bond stands discharged and he is 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
27.06.22	10.08.22	10.09.22	10.09.22	22.12.25	10.03.26	16.03.26	----

**Description of Accused**

Name of accused	Age	Father's Name	Caste or Religion	Calling	Residence	Taluk
Joby Issac	26/22	Issac	---	---	Valiyaparambil	Kottayam

This case having been finally heard on 10.03.2026 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 Sub Inspector of Police, Chingavanam Police Station against the accused, in crime no.1587/2022 alleging the offences punishable u/s.354(A) of the Indian Penal Code, 1860 and 119(a) of KP Act.

2) Prosecution case in brief is as follows:- On 27.06.2022 at 08.30 p.m at Nattakom Village, the accused exhibited his nudity against the de facto complainant. Thus, the accused has committed the offences punishable under sections 354(A) of the Indian Penal Code, 1860 and 119(a) of KP Act.

3) In this case, final report was filed before this court and cognizance of the above offences was taken by this court. Thereafter, summons was issued to the accused. The accused appeared before the court and he was enlarged on bail. The accused was furnished with copies of all relevant prosecution records. After hearing both sides and after considering the prosecution records, charge under above offences was framed against the accused. The same was read over and explained to him. He pleaded not guilty to the charge and claimed to be tried.

4) The prosecution has examined PW1 and PW2 and Ext.P1 FIS was marked. PW1 and PW2 retracted from the prosecution case and the learned Assistant Public Prosecutor has given up examination of the remaining witnesses. As no

incriminating circumstances were brought out against the accused person, his examination under S.313 (1) (b) Cr.P.C was dispensed with.

5) Heard both sides.

6) The following points arise for determination:-

- i. Whether the accused sexually harassed CW1 on 27.06.2022 at 08.30 p.m at Nattakom Village and thereby committed the offence punishable u/s.354(A) of IPC as alleged?
- ii. Whether the accused, on 27.06.2022 at 08.30 p.m at Nattakom Village, the accused performed a sexual gesture by showing his nudity towards CW1 and thereby committed the offence punishable under section 119 (a) of The Kerala Police Act, 2011 as alleged?
- iii. Sentence or order, if any ?

7) Heard both sides.

8) **Point nos.1 and 2:-** For the sake of convenience point nos.1 and 2 are considered together. The de facto 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 case by stating that she did not know the assailant. She is not interested to proceed the case against the accused and she further deposed that she has no complaints against the accused person. PW2 also turned hostile to the prosecution by stating that she did not know the assailant .

9) Since, PW1 and PW2 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 person. These points are found against the prosecution.

10) **Point no.3:-** In view of the finding on point nos.1 and 2, accused is found not guilty of the offences punishable u/s.354(A) of the Indian Penal Code, 1860 and 119(a) of KP Act.

In the result, accused is found not guilty of the offences punishable under sections 354(A) of the Indian Penal Code, 1860 and 119(a) of KP Act and he is acquitted under section 248(1) of the Code of Criminal Procedure, 1973. His bail bond stands discharged and he is 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.Maggie P Gopi	-	24.02.2026
PW2/CW2	-	Smt.Malavika Dileep	-	24.02.2026

**Exhibits for the prosecution:**

P1- FIS marked through PW1 on 24.02.2026

**Witness and Exhibits for the defence :**

Nil

Judicial First Class Magistrate -1  
Changanacherry