

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

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

Dated this the, 16th day of March, 2026
25th day of Phalguna, 1947

CC No.1395/2022

Complainant : State represented by the Sub Inspector of Police,
Chingavanam Police Station in
Crime No.697/2022.
(By APP, Changanacherry)

Accused : Harindranatha Kaimal, Aged 27/22,
S/o Gopinatha Kaimal, Manakkattu (H),
Kuzhimattam P.O, Kuzhimattam P.O,
Kolakulam Bhagom, Panachickadu Village.
(By Adv.Reji Sakariah)

Offence : U/s.294(b), 323 and 354 of the Indian Penal Code,
1860.

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	Apprehen sion/ Appearan ce of accused	Release on bail	Commence ment of trial	Close of trial	Sentence of order	Explanation for delay and remarks
17.04.22	18.04.22	18.04.22	21.04.22	08.01.26	10.03.26	16.03.26	----

Description of Accused

Name of accused	Age	Father's Name	Caste or Religion	Calling	Residence	Taluk
Harindranatha Kaimal	27/22	Gopinatha Kaimal	Hindu	Coolie	Manakkattu	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.697/2022 alleging the offences punishable U/s.294(b), 323 and 354 of the Indian Penal Code, 1860.

2) Prosecution case in brief is as follows:- On 17.04.2022 at 4.30 p.m at Panachickadu Village, the accused uttered filthy words against the de facto complainant and thereby outraged her modesty and pushed her down. The accused hit on her neck, slapped on the face and stamped her also. Thus, accused has committed the offence punishable under section 294(b), 323 and 354 of the Indian Penal Code, 1860.

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. Ext.P1 FIS was marked. Since PW1 retracted from the prosecution case, the learned Assistant Public Prosecutor has given up examination of the remaining witnesses. As no incriminating circumstances were brought out against the accused, 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 had uttered filthy words towards CW1 on 17.04.2022 at 4.30 p.m at Panachickadu Village and thereby committed the offence punishable u/s.294(b) of IPC as alleged?
- ii. Whether the accused, voluntarily caused hurt to CW1 at the above mentioned place, on aforesaid day, at aforesaid time and thereby committed the offence punishable under section 323 of IPC as alleged?
- iii. Whether the accused outraged the modesty of CW1 at the above mentioned place, on aforesaid day, at aforesaid time and thereby committed the offence punishable under section 354 of IPC?
- iv. Sentence or order, if any ?

7) **Point nos.1 to 3:-** For the sake of convenience point nos.1 to 3 are considered together. De facto complainant was examined as PW1. Ext.P1 is the FIS given by PW1. She admitted her signature in Ext.P1 but turned hostile to the prosecution by stating that she did not know the assailant and further deposed that

she is not interested to proceed the case against the accused.

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. These points are found against the prosecution.

9) **Point no.4:-** In view of the finding on point nos.1 to 3, accused is found not guilty of the offences punishable u/s.294(b), 323 and 354 of the Indian Penal Code, 1860.

In the result, the accused is found not guilty of the offences punishable under sections 294(b), 323 and 354 of the Indian Penal Code, 1860 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 16th day of March, 2026)

Judicial First Class Magistrate – I
Changanacherry

APPENDIX:

Witness for the prosecution:

PW1/CW1 - Smt.Beena P K - 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