

IN THE COURT OF THE FAST TRACK SPECIAL JUDGE, CHANGANASSERY
Present : Sri. Ranjith Krishnan.N., Special Judge.

TUESDAY THE 9th DAY OF JUNE 2026
19th day of Jyaishta ,1948

SESSIONS CASE No 586/2024
Crime No. 244/2024 of Chingavanam Police Station

COMPLAINANT : State of Kerala,
represented by the Inspector of Police,
Chingavanam

By Special Public Prosecutor : Sri. P.S.Manoj

ACCUSED : Rajesh R @ Kannan, aged 21/2024
S/o Rajappan Aachari
Aswathy Bhavan,
Puthuval Purayidam Veedu,
Mundackal Beech Road Bhagam,
Mundackal Village,
Kollam District.

By Advocates : Sri. G.Gopakumar)

CHARGE : U/ss. 354-A(2) r/w 354- A(1)(i),
354(C) of IPC, Sections 66(E), 67(B) of
IT Act and Sections 7, 8, 11(iv), 12, 15 of POCSO
Act .

PLEA : Not guilty.

FINDING : Not guilty

SENTENCE/ORDER : The accused not guilty of the offences
punishable under sections 354-A(2) r/w 354-
A(1)(i), 354(C) of IPC, Sections 66(E), 67(B) of
IT Act and Sections 7, 8, 11(iv), 12, 15 of POCSO
Act and he is acquitted of the said offences
u/s. 235(1) Cr.PC. Bail bond of accused shall
stand cancelled and he is set at liberty.

DATE OF TRIAL : 30-05-2026, 06-06-2026.

HEARING : 09-06-2026

JUDGMENT : 09--06-2026

TABULAR FORM

Serial No. : S.C. No. 586/2024
 Name of Police station : Chingavanam Police Station.
 of and Cr. no. of offence : Crime No.244/2024

DESCRIPTION OF THE ACCUSED

Sl. No.	Name	Father's Name	Occupation	Religion	Residence	Age
	Rajesh R @ Kannan	Rajappan Aachari.	colipani		Aswathy Bhavan, Puthuval Purayidam Veedu, Mundackal Beech Road Bhagam, Mundackal Village, Kollam District.	21/2024

Date of

Occurrence : From 31-03-2022 To 25-02-2024
 Complaint : 28-02-2024
 Apprehension : 01-03-2024
 Release on bail : 22-03-2024
 Commitment : Nil
 Commencement of trial : 30-05-2026
 Close of Trial : 06-06-2026
 Sentence or order : 09-06-2026
 Service of copy of judgment or finding on accused : N.A.
 Explanation for delay : No delay.

This Sessions Case coming on for final hearing on 09-06-2026 in the presence of the Special Public Prosecutor and having stood over for consideration on 09-06-2026 and the court on the same day delivered the following:

J U D G M E N T

The accused is put on trial alleging commission of offences punishable under Sections 354-A(2) r/w 354-A(1)(i),354(C) of IPC,Sections 66(E),67(B) of IT Act and Sections 7,8,11(iv),12,15 of POCSO Act on the basis of final report submitted by Inspector of Police, Chingavanam Police Station in Crime No. 244/24.

2. The accused obtained nude photos of the victim herein, who is a minor aged 17 via WhatsApp. During 2022-2023 academic year, the accused used to give lift to the victim to and from the school and while the accused sexually assaulted the victim by kissing her, hugging her and pressing on her chest. The accused also transmitted the nude photos obtained from the victim to the phone of CW2. The accused has thereby committed the aforesaid offences.

3. Upon filing the final report before the Additional District Court (POCSO) Kottayam, cognizance was taken for the aforesaid offences. Subsequently, it was made over to this court for trial and disposal. After hearing the prosecution and the accused, charge was framed for the aforesaid offences, charge was read over and explained to the accused, to which he pleaded not guilty. Thereafter, prosecution witnesses were summoned.

4. On the side of the prosecution, PW1 and PW2 were examined and Ext. P1 marked. Since there is no incriminating circumstances appearing in evidence against the accused, the examination of the accused under Section 313(b) CrPC was dispensed with.

5. The points for consideration are :-

1. Whether the prosecution has succeeded in proving the occurrence and the offences alleged against the accused beyond reasonable doubt?

2. The order to be passed.

6. Point number 1:- The prosecution case is based upon Ext. P1 statement made by the defacto complainant before the police. The defacto complainant who is the victim herein was examined as PW1. She turned hostile to the prosecution and deposed that the accused did not commit sexual harassment on her . She stated that she has not given any statement to the police that the accused has made her to transmit her nude pictures to his mobile phone or transmitted her nude pictures to the phone of CW2. PW2 is the other occurrence witness examined on the side of the prosecution. PW2 deposed that he is the friend of the brother-in-law of PW1. He also turned hostile to the prosecution and denied having the accused sent the nude pictures of PW1 to his sister's phone.

7. On a consideration of the entire evidence on record it is seen that the material witnesses for the prosecution PW1 and PW2 turned hostile to the prosecution. There is absolutely no evidence to connect the accused with the occurrence and the offences alleged against the accused. Having considered the fact that the material witness turned hostile to the prosecution, the learned Special Prosecutor had given up the examination of the remaining witnesses. Since there is only remote chance for the conviction as the material witness turned hostile to the prosecution, I am of the view that the learned learned Special Prosecutor was perfectly justified in giving up the witnesses. There is no other incriminating evidence against the accused. So, the accused cannot be said to have committed any of the offences alleged against him. Point No.1 is found against the prosecution.

8. Point No.2:- Vide discussions on the forgoing point, I find the accused not guilty of the offences punishable under sections 354-A(2) r/w 354-A(1)(i),354(C) of IPC,Sections 66(E),67(B) of IT Act and Sections 7,8,11(iv),12,15 of POCSO Act and he is acquitted of the said offences u/s.235(1) Cr.PC. Bail bond of accused shall stands cancelled and he is set at liberty. T 182/2024-The mobile phone will be returned to the accused only after erasing all

the obscene contents in the mobile phone by sending it to the RFSL at the expense of the accused. On return from the RFSL, after erasing all the obscene contents in it, the same can be obtained by the accused from the court.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open court on this the 9th day of June 2026.

Sd/-

**RANJITH KRISHNAN.N
SPECIAL JUDGE**

APPENDIX

A. PROSECUTION WITNESSES :

PW1 30-05-2026 : Victim

PW2 06-06-2026 : Rahul

B. DEFENCE WITNESS : NIL

C. COURT WITNESS: NIL

A. EXHIBITS FOR PROSECUTION :

P1/PW1 28-02-2024 : First Information Statement.

B. EXHIBIT FOR DEFENCE: NIL

C. EXHIBIT FOR COURT: NIL

MATERIAL OBJECT MARKED : NIL.

Sd/-

SPECIAL JUDGE.