

IN THE COURT OF THE FAST TRACK SPECIAL JUDGE, CHANGANASSERY
Present : Smt. Saima P.S., Special Judge.

THURSDAY THE 30th DAY OF APRIL 2026
10th day of Vaisakam ,1948

SESSIONS CASE No. 732/2022
Crime No.442/2022 of Vakathanam Police Station

COMPLAINANT : State of Kerala,
represented by the Inspector of Police,
Vakathanam
By Special Public Prosecutor : Sri. P.S.Manoj

ACCUSED : Arjun T Suresh, aged 20/2022
S/o Suresh.T.M,
Thottathil House,
Kuzhippurayidam Kara,
Manarcadu Village,
Kottayam.

By Advocates : Sri. K.Vinod, Sri. Bobby John, Smt.Asha
Antony, Sri. George varghe,Smt Manju
Manohar, and Smt.Shiolpa Mathew

CHARGE : U/ss. 506(i) 376(1),354D of IPC,Sec.66 (E) of IT
Act

PLEA : Not guilty.

FINDING : Not guilty

SENTENCE/ORDER : The accused is found not guilty of the offences
punishable u/ss. 506(i) 376(1),354D of
IPC,Sec.66 (E) of IT Act. Accordingly
accused is acquitted of the said offences u/s.
232 CrPC. The bail bond executed by him
stands cancelled and he is set at liberty

DATE OF TRIAL : 27-04-2026

HEARING : 30-04-2026

JUDGMENT : 30-04-2026

TABULAR FORM

Serial No. : S.C. No. 731/2022
 Name of Police station : Vakathanam Police Station.
 of and Cr. no. of offence : Crime No.442/2022

DESCRIPTION OF THE ACCUSED

Sl. No.	Name	Father's Name	Occupation	Religion	Residence	Age
	Arjun T Suresh	Suresh.T. M,		Hindu	Thottathil House, Kuzhippurayidam Kara, Manarcadu Village, Kottayam.	20/2022

Date of

Occurrence : From 01-01-2019 To 06-05-2022
 Complaint : 07-05-2022
 Apprehension : 08-05-2022
 Release on bail : 09-06-2022
 Commitment : Nil
 Commencement of trial : 27-04-2026
 Close of Trial : 27-04-2026
 Sentence or order : 30-04-2026
 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 30-04-2026 in the presence of the Special Public Prosecutor and having stood over for consideration on 30-04-2026 and the court on the same day delivered the following:

J U D G M E N T

This case is instituted upon the final report submitted by the Inspector of Police (in-charge), Vakathanam in crime no. 442/22 of Vakathanam Police Station alleging offences punishable u/ss. 354 D, 506, 376(2)(n) of IPC, Sec. 66 (E) of IT Act.

2. The prosecution case is as follows:-

In order to gratify his passion for lust, the accused made CW1 the victim to believe that he would marry her and since 2019, he caused her to send her nude photos and videos to him through mobile phone and collected the same. Thereafter by threatening her that he would disseminate the same, on 23/8/2021 committed rape on her repeatedly in room no. 303 of Mysty Rosa Resort Pvt Ltd., that situates in the IV floor of the building named 'Kaambadathil Arcade' near Logos Junction, Kottayam and he captured the said sexual act in a mobile phone. Thereafter he followed her till 6/5/2022 and again threatened her by stating that he would disseminate the aforesaid video pictures in social media. Thereby the accused is alleged to have committed the aforesaid offences.

3. On the basis of the FIS (First Information Statement) given by CW1 the victim before CW22 Sub Inspector of Police, Vakathanam Police Station, CW24 the Sub Inspector of Police, Vakathanam registered FIR as crime no. 442/22 of Vakathanam Police Station 376(2)(n), 506, 354-D of IPC, Sec. 66E of IT Act. CW25 the Inspector of Police, Vakathanam conducted the

investigation, arrested the accused on 8/5/2022 and produced him before the jurisdictional Magistrate on the same day itself and he was remanded to judicial custody. He was released on bail on 9/6/2022. On completion of investigation, on 9/4/2025 CW25 submitted final report before the Judicial First Class Magistrate Court -I ,Changanacherry and the case was taken on file as CP 51/22. Thereafter the case was committed to Hon'ble Sessions Court, Kottayam. After taking cognizance of the aforesaid offences, this case was made over to Addl. District and Sessions Court-II,Kottayam.

4. In pursuance of summons, accused appeared before that court. Thereafter as per the Order of the Hon'ble Sessions Judge, Kottayam the case was transferred to this court for trial and disposal in accordance with law. Accused appeared before this court. After hearing both sides, as there was no ground to discharge him u/s.227 of CrPC, charge was framed against the accused u/ss.506(i), 376(1),354D of IPC, Sec.66 (E) of IT Act. It was read over and explained to the accused, to which he pleaded not guilty and claimed to be tried.

5. On the side of the prosecution, PW1 & PW2 were examined and Exts. P1, P1(a), P2 were marked. The remaining witnesses were given up by the learned Special Public Prosecutor. Since there is no incriminating evidence against the accused, questioning him u/s. 313 CrPC was dispensed with.

6. Heard both sides u/s. 232 CrPC.

7. The points that arises for consideration are:-

1. Whether accused has committed the offences punishable u/ss. 506(i) 376(1),354D of IPC,Sec.66 (E) of IT Act?
2. Sentence or order.

8. **Point No. 1**:-

When testified though PW1 the victim stated that she has given Ext. P1 FIS to the police, stated that she doesn't remember the reason for lodging Ext.P1 and she denied Ext. P1(a), the relevant portion in Ext.P1, she specifically stated that on identifying the accused, she has not given any additional statement. She also stated that she is not remembering whether she has given any statement to the Magistrate. She further stated that in connection with the occurrence, she was neither subjected to medical examination nor has given any statement to the doctor. She categorically stated that the accused is unknown to her and he has not committed any sexual abuse on her and has not captured her nude pictures in mobile phone. She specifically stated that the matter was settled.

9. PW2 the father of PW1 though stated that he had given statement to the Police, denied Ext. P2 the relevant portion of his previous statement.

10. Thus PW1 & PW2 the material witnesses didn't support the prosecution case. There is absolutely no evidence to connect the accused with the offences alleged against him. The point is found accordingly.

11. **Point No. 2**:-

In view of the finding on point no.1, accused is found not guilty of the offences punishable u/ss. 506(i) 376(1),354D of IPC,Sec.66 (E) of IT Act. Accordingly accused is acquitted of the said offences u/s. 232 CrPC. The bail bond executed by him stands cancelled and he is set at liberty.

Inform the RFSL to keep the material objects for three months without conducting examination and if no communication is received from the court within that time, remove the contents in the mobile phones ie., [POCO make (Item no.1 in list I in T No.407/22) and Realme make (Item no.1 in T No.565/22)] and in the Laptop [(DELL) Item no.1 in list II in T No.423/22] and return the said mobile phones and Laptop with a certificate to that effect. Also return item no.1 (Nano Sim) in list I in T No.423/22.

On receiving the same, return Item no.1 in list I in T No. 407/ 22 (POCO make mobile phone), Item no.1 (Laptop - DELL) and item no.2 in list II in T No.423/22 to the accused and Item no.1 in T No.565/22 (Realme make mobile phone) to the victim. Destroy Item no.1 in T No.423/22 and Item no.2 in T No.565/22.

Dictated to the Confidential Assistant transcribed and typed by her, corrected by me and pronounced in open court on this the 30th day of April, 2026.

Sd/-
SAIMA P.S,
SPECIAL JUDGE

APPENDIX

A. PROSECUTION WITNESSES :

PW1 27-04-2026 : Victim
PW2 27-04-2026 : Father of Victim

B. DEFENCE WITNESS : NIL

C. COURT WITNESS: NIL

A. EXHIBITS FOR PROSECUTION :

P1/PW1 07-05-2022 : First Information Statement.
P1(a)/PW1 07-05-2022 : Relevant Portion of First Information Statement.
P2/PW2 18-05-2022 : Relevant Portion of 161 Statement of PW2

B. EXHIBIT FOR DEFENCE: NIL

C. EXHIBIT FOR COURT: NIL

MATERIAL OBJECT MARKED : NIL.

Sd/-
SPECIAL JUDGE.