

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE - I
PERINTHALMANNA**

Present: Smt. Asha K.N., Judicial First Class Magistrate – I,
Dated this the 15th day of September, 2025.
(The 24th day of Bhadra, 1946 of Saka Era)

CALENDAR CASE NO. 434 OF 2019

State represented by the Sub Inspector of Police Perinthalmanna police station Cr.327/2019 (By Sri. Navabkhan E, APP. Perinthalmanna)	:	Complainant
A1- Abdul Majeed, Age-47/19 S/o. Hamsa, Wayanadan House, Akaloor, Pazhaya lakkidi, Ottappalam. A2- Saara, Age- 70/19 W/o. Veeran, Pilakoottathil House, Chunanagad, Varode, Ottappalam Taluk, Palakkad. (By Adv.Sri. K.T.Ummer)	:	Accused
Offences	:	u/s 498(A) IPC
Plea	:	Not guilty
Finding	:	Not guilty
Order	Accused are acquitted u/s.248(1) Cr.P.C.	

Description of the accused

Sl.No	Name	Father's Name	Occupation	Residence	Age
1	Abdul Majeed	Hamsa	-	Wayanadan	47/19
2	Saara	W/o. Veeran	-	Pilakoottathil	70/19

Date of

Occurrence	Complainant	Appearance or apprehension	Release on bail	Commentation of trial	Close of trial	Explanation for delay	Sentence or order
From 18.09.11 To 01.06.19	08.06.19	-	24.12.19	08.08.25	12.09.25	-	15.09.25

This case having been finally heard on 12.09.25, this day the court delivered the following:

J U D G M E N T

This case is taken file on the final report submitted by the Sub Inspector of Police, Perinthalmanna Police Station, against the accused in crime No.327/2019 alleging commission of the offences punishable under section 498A IPC.

2. The prosecution case, in brief, is as follows:- The first accused married PW1 on 31.07.2011 at Ottappalam, Manath Mangalam house in accordance with Muslim religious rites and while they were residing together as husband and wife, the accused No.1 to 2 physically and mentally harassed her demanding more ornaments and money as dowry. Thus, the accused are alleged to have committed the aforesaid offence.

3. On the basis of FIS given by CW1, CW7 registered the crime and CW8 filed final report after completing investigation.

4. Pursuant to the summons, accused appeared before the court and they were released on bail. They were represented by a counsel of their choice. Copies of entire prosecution records were served on them. After hearing both and perusing records, charge for the offences u/s. 498A of IPC were read over and explained to the accused in Malayalam. Accused pleaded not guilty and claimed for trial.

5. From the side of the prosecution, PWs1 and 2 were examined. As there was no incriminating evidence against the accused questioning of the accused u/s.313(1)(b) of Cr.P.C was dispensed with.

6. Accused were called upon to enter into their defence. No evidence has been adduced from the side of accused.

7. Heard both sides.

8. The following points arise for consideration:-

1. Whether the accused subjected CW1 to cruelty by ill treating her mentally and physically demanding more dowry as alleged?
2. What are the offences if any, proved to have committed by the accused?

3. If the accused are found guilty, what should be the proper sentence?

9. **Point Nos. 1 and 2:-**

PWs 1 and 2 are the parents of CW1. They deposed that no incident has occurred whereby accused have attacked CW1 demanding more dowry and money. They also turned hostile to the prosecution. CW1 is the first informant her presence could not be secured by the prosecution even after issuance of coercive steps. She is reportedly residing in Delhi.

10. On consideration of the entire evidence on record, it is seen that the occurrence witnesses examined turned hostile to the prosecution and deposed against the prosecution case and sole aggrieved witness CW1 not examined. Considering the circumstances that there cannot be any successful prosecution, the learned A.P.P has given up the examination of the remaining witnesses. I am also satisfied that the examination of them will not serve any purpose. There is absolutely no material before the court to connect the accused with the occurrence. In the above circumstance, the accused cannot be said to have committed the offence alleged against the accused. These points are found against the prosecution.

11. **Point No.3:-** This point does not arise for consideration since the point Nos.1 and found against the prosecution.

In the result, the accused No. 1 and 2 are found not guilty of the offences u/s. 498A of IPC and they are acquitted of the same u/s.248 (1) Cr.P.C. Bail bonds stand cancelled and they are set at liberty.

(Dictated to the Confidential Assistant transcribed and typed by her, corrected and pronounced by me in open court on this the 15th day of September, 2025)

Judicial First Class Magistrate -I
Perinthalmanna

APPENDIX**Prosecution witness**

PW1	Jamal	Occurrence Witness
PW2	Fathimath Suhara	Occurrence Witness

Defence witness : Nil**Court witness** : Nil**Prosecution Exhibits:** Nil**Defence Exhibits :** Nil**Court Exhibits** : Nil

Judicial First Class Magistrate -I
Perinthalmanna

Form No. 48(CPC) Cr. Justice 470000 17/14414 2004GPE@Govt. Of Kerala
CALENDAR AND JUDGMENT
 (for use in cases where there is only one accused person)
 District of Manjeri calendar of cases tried by the Judicial First Class Magistrate – I,
 Perinthalmanna.

Date of							Explanation of delay and remarks
Offence	Report or complaint	Apprehension of accused	Release on bail	Commencement of trial	Close of trial	Sentence or order	
From 18.09.11 To 01.06.19	08.06.19	-	24.12.19	08.08.25	12.09.25	15.09.25	

Judgment in Calendar Case No.434/2019 on the file of the
 Judicial First Class Magistrate Court - I, Perinthalmanna.

Complainant: State: Sub Inspector of Police Perinthalmanna Cr.327/2019

Sl. No.	Name	Father's name	Residence	Occupation	Age
1	Abdul Majeed	Hamsa	Wayanadan		47/19
2	Saara	W/o. Veeran	Pilakoottathil		70/19

Offence : 498(A) IPC

Finding : Not guilty.

Sentence or order : Accused is acquitted u/s. 248(1) Cr.P.C.

Remarks of the District Magistrate:

From

The Judicial First Class Magistrate-I
 Perinthalmanna.

Date of Despatch:

Reply of theMagistrate:

To*

The Chief Judicial Magistrate, Manjeri
 (Through the Sub divisional Magistrate)

Date of Despatch :

" Receipt:

Case No. CC 434/2019

Date of Judgment :15.09.2025

Date of Despatch :

Date of Calendar :

Date of Receipt :

Judicial First Class Magistrate - I
 Perinthalmanna.