

FORM NO. 48(CPC)
 CrI.Justice 470,000 17/144 1 4 2004 GPE @ Govt. of Kerala
 CALENDAR AND JUDGMENT
 (For use in cases where there is only one accused person)
 District of Palakkad Calendar of Cases tried by
 the Judicial Ist Class Magistrate of Ottapalam.

Date of							
Offence	Report or complaint	Apprehension of accused	Release on bail	Commencement of trial	Close of trial	Sentence or order	Explanation of delay and remarks
6.12.19	24.2.20	7.2.20	7.2.20	9.6.2022	30.4.26	2.5.2026	No delay

Judgment in Calender Case no. 159/2020 on the file of the
 Judicial Ist Class Magistrate-1 of Ottapalam.

Complainant :State represented by Sub Inspector, Cherpulassery Police Station in crime no.349/2019

Sl.No	Name of accused	Age	Father's Name	Residence	Taluk
1.	Manikandan	35	Kunjan	Amayur	Pattambi
2.	Jinesh	33	Kumaran	Vellinezhi	Ottapalam
3.	Anil	30	Kumaran	Mundur	Palakkad
4.	Dileep	31	Sankaran	Ambalappara	Ottapalam

Offences : U/ss 451, 341, 323, 354 r/w 34 IPC.

Finding : Not guilty

Sentence or order : Accused are found not guilty of the offences punishable under sections 451, 341, 323, 354 r/w 34 IPC. They are acquitted under sec. 248(1)Cr.PC of the above offences. Their bail bonds stand cancelled and they are set at liberty.

Judicial First Class Magistrate – I,
 Ottapalam.

DOCKET

Date of receipt :.....	From
Remarks of the District Magistrate	The Magistrate of.
Date of Despatch	To
“ Receipt 20...	The Hon'ble District & Sessions Judge, Palakkad.
	Reply of the Magistrate
	{of }
Date of despatch } “ Receipt }20...	Calendar case no. of 200.....
Remarks of the Subdivisional Magistrate	Date of judgment {
	“ of Despatch {
	“ of Calendar {
	“ of Receipt {

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS-1
OTTAPALAM**

Present. Miss. Sajitha. M. N
Judicial First Class Magistrate

Saturday, 2nd day of May, 2026
12th Vaisagam, 1948(S.E)

Calender Case no. 159/2020

- Complainant : State represented by Sub Inspector of Police,
Cherpulassery Police Station in crime no.
349/2019.
(By Sri. Muhammed Sajith, A.P.P. Gr.II,
Ottapalam)
- Accused : 1. Manikandan aged 35/19 Years,
S/o Kunjan, Vazhapurath veedu,
Amayur desom, Koppam.
2. Jinesh aged 33/19 Years, S/o Kumaran,
Pulpatta veedu, Vellinezhi desom,
Vellinezhi Village.
3. Anil aged 30/19 Years, S/o Kumaran,
Pariyangattuparambil veedu,
Kanjikulam desom, Mundur Village.
4. Dileep aged 31/19 Years, S/o Sankaran,
Ettiyilkunnathu veedu, Aravakkad desom,
Ambalappara.
(By Adv. Sri. E. R. Stalin)
- Offence : U/ss 451, 341, 323, 354 r/w 34 IPC.
- Plea : Not guilty
- Finding : Not guilty

Sentence or order : Accused are found not guilty of the offences punishable under sections 451, 341, 323, 354 r/w 34 IPC. They are acquitted under sec. 248(1)Cr.PC of the above offences. Their bail bonds stand cancelled and they are set at liberty.

Description of accused

Sl. no	Name of accused	Age	Father's Name	Residence	Taluk
1.	Manikandan	35	Kunjan	Amayur	Pattambi
2.	Jinesh	33	Kumaran	Vellinezhi	Ottapalam
3.	Anil	30	Kumaran	Mundur	Palakkad
4.	Dileep	31	Sankaran	Ambalappara	Ottapalam

Date of

Offence	Report or complaint	Apprehension	Release on bail	Commencement of trial	Close of trial	Sentence or order
6.12.19	24.2.20	7.2.20	7.2.20	9.6.2022	30.4.26	2.5.2026

This case having been heard on 30.4.2026 and the court on 2.5.2026 passed the following.

JUDGMENT

The accused stands charge sheeted by the Sub Inspector of Police, Cherpulassery Police Station in crime no. 349/2019 alleging commission of offences punishable under sections 451, 341, 323, 354 r/w 34 of the Indian Penal Code. (Herein after referred to as IPC)

2. The prosecution case is that on 6.12.2019 at 19.00 hours due to the previous animosity towards CW1 accused 1 to 4 in furtherance of their common intention commit house trespass into the courtyard of the house of CW1 at Manjakkal, second and fourth accused caught on the hair of CW1 first accused pressed on the neck and second accused beat on the body of CW1 and thereby outraged her modesty. Third accused help them to do the act and also beat mother of her husband. Thus, the accused are alleged to have committed the above offences.

3. Cognizance was taken and summons was issued to the accused persons for having committed the offences punishable under sections 451, 341, 323, 354 r/w 34 IPC. The accused appeared before the court and they were released on bail. The copies of prosecution records were furnished to the accused and thus complied with section 207 Cr.P.C. After hearing both sides, charge was framed under sections 451, 341, 323, 354 r/w 34 IPC were read over and explained to the accused. They pleaded not guilty. They were defended by a counsel of their choice.

4. CW1 to CW11 were cited as prosecution witnesses. Out of that CW1 and CW2 were examined as PW1 and PW2 and Ext.P1 marked. The examination of other witnesses were given up by the learned Assistant Public Prosecutor.

Since there were no incriminating circumstances brought out in evidence against the accused persons examination under section 313(1)(b)Cr.PC was dispensed with. No defence evidence was adduced.

5. Heard both sides.

6. The points that arise for determination are: -

1. Did the accused persons 1 to 4 on 6.12.2019 at 19.00 hours in furtherance of their common intention commit house trespass into the courtyard of the house of PW1 at Manjakkal ?
2. Did the accused persons 1 to 4 on 6.12.2019 at 19.00 hours in furtherance of their common intention at the house of PW1 at Manjakkal, wrongfully restrained PW1?
3. Did the accused persons 1 to 4 on 6.12.2019 at 19.00 hours in furtherance of their common intention at the house of CW1 at Manjakkal, voluntarily caused hurt to PW1 and PW2?
4. Did the second accused on 6.12.2019 at 19.00 hours at the house of CW1 at Manjakkal, beat on the body of PW1 and thereby outraged her modesty?
5. Whether the accused are guilty of the offences as alleged? If found guilty, what is the order as to sentence?

7. **Point nos 1 to 4** : - These points are considered together for the sake of brevity and convenience. PW1 is the first informant in this case. She gave statement before police. She identified her signature in the statement. FIS is

marked as Ext. P1. She further deposed that she did not know the persons who attacked her and outraged her modesty. She declared hostile to the prosecution. Matter has been settled between the parties. She has no complaint against the accused persons.

8. PW2 deposed that there is no incident of attack and outraging the modesty by the accused persons. She also declared hostile to the prosecution. Matter has been settled between the parties. She has no complaint against the accused persons.

9. PW1 and PW2 turned hostile to the prosecution. The examination of other witnesses were given up by learned Assistant Public Prosecutor, since the material witnesses did not support the prosecution case. Even though PW1 and PW2 were asked questions which would be asked in cross examination, nothing was brought out in support of the prosecution case. It appears from the testimonies of PW1 and PW2 that the matter has been settled between the parties. There are no materials before this court to conclude that the accused persons have committed the above offences. Therefore, this court is inclined to acquit the accused persons.

10. Point no. 4 : In view of my finding on point no. 1 to 3, accused are found not guilty of the offences punishable under sections 451, 341, 323,

354 r/w 34 IPC. They are acquitted under sec. 248(1)Cr.PC of the above offences. Their 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, this 2nd day of May, 2026)

**Judicial First Class Magistrate-1,
Ottapalam.**

APPENDIX

WITNESSES EXAMINED FOR THE PROSECUTION

PW 1 : Girija (First Informant and Injured witness)

PW 2 : Ramani (Injured witness)

WITNESSES EXAMINED FOR THE DEFENCE: Nil

EXHIBITS MARKED FOR THE PROSECUTION:

Ext. P1 : FIS dated 7.12.2019 marked through PW1.

EXHIBITS MARKED FOR THE DEFENCE:Nil

**Judicial First Class Magistrate-1,
Ottapalam**