

FORM NO. 48(CPC)  
 CrL.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							Explanatio n of delay and remarks
Offence	Report or complaint	Apprehensi on of accused	Release on bail	Commence- ment of trial	Close of trial	Sentence or order	
3.2.18	3.2.18	3.2.18	17.2.18	9.7.19	12.3.26	13.3.26	No delay

Judgment in Calender Case no. 257/2018 on the file of the  
 Judicial Ist Class Magistrate-1 of Ottapalam.

Complainant : State represented by Additional Sub Inspector, Shornur Police Station in crime no.  
 98/2018.

Sl.No	Name of accused	Age	Father's Name	Residence	Taluk
1.	Pramod	38	Krishnan Nair	Shornur	Ottapalam

Offences : U/ss 341, 323, 324, 325, 452, 427 and 506(ii) IPC.

Finding : Not guilty

Sentence or order : Accused is found not guilty of the offences punishable under sections 341, 323, 324,  
 325, 452, 427 and 506(ii) IPC. He is acquitted under sec. 248(1)Cr.PC of the above  
 offences. His bail bond stands cancelled and he is set at liberty.

Judicial First Class Magistrate – I,  
 Ottappalam.

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 }	Calendar case no. .... of ..... 200.....
“ Receipt } .....	Date of judgment }
Remarks of the Subdivisional Magistrate	“ 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

Friday, 13<sup>th</sup> day of March, 2026  
22<sup>nd</sup> Falguma, 1947 (S.E)

**Calender Case no. 257/2018**

Complainant : State represented by the Additional Sub  
Inspector, Shornur Police Station in crime no.  
98/2018.  
(By Sri. Muhammed Sajith, A.P.P. Gr.II,  
Ottapalam)

Accused : Pramod aged 38/18 Years, S/o Krishnan Nair,  
Angoth Nellikkat House, Paruthipra,  
Shornur.  
(By Adv. Sri. C. P. Sudheer)

Offence : U/ss 341, 323, 324, 325, 452, 427 and 506(ii)  
IPC.

Plea : Not guilty

Finding : Not guilty

Sentence or order : Accused is found not guilty of the offences  
punishable under sections 341, 323, 324, 325,  
452, 427 and 506(ii) IPC. He is acquitted  
under sec. 248(1)Cr.PC of the above offences.  
His bail bond stands cancelled and he is set at  
liberty.

**Description of accused**

Sl. no	Name of accused	Age	Father's Name	Residence	Taluk
1.	Pramod	38	Krishnan Nair	Shornur	Ottapalam

## Date of

Offence	Report or complaint	Apprehension	Release on bail	Commencement of trial	Close of trial	Sentence or order
3.2.18	3.2.18	3.2.18	17.2.18	9.7.19	12.3.26	13.3.26

This case having been heard on 12.3.26 and the court on 13.3.2026 passed the following.

### J U D G M E N T

The accused stands charge sheeted by the Additional Sub Inspector, Shornur Police Station in crime no. 98/2018 alleging commission of offences punishable under sections 341, 323, 324, 325, 452, 427 and 506(ii) of the Indian Penal Code. (Herein after referred to as IPC).

2. The prosecution case is that at 9.15 a.m on 3.2.2018 the accused with the intention to commit the offence kept the knife in his possession and entered in the toddy shop where CW1 was working at Kombinpalam gate, wrongfully restrained him, beat and hit CW1 on the face and neck and parts of his body and swayed the knife, so he sustained injuries on his left pointing finger and he also threaten to kill him and uttered obscene words against him. On the impact of the hit on his face, CW1 lost his two teeth in the lower jaw and he sustained serious injuries. The accused destroyed the marble table and knocked down 30 litres of toddy kept in the shop and thus caused mischief.

The act of accused sustained loss of Rs. 12,000/-. Thus, the accused is alleged to have committed the above offences.

3. Cognizance was taken and summons was issued to the accused for having committed the offences punishable under sections 341, 323, 324, 325, 452, 427 and 506(ii) IPC. The accused appeared before the court and he was released on bail. The copies of prosecution records were furnished to the accused and thus complied with section 207 Cr.P.C. Charge was framed u/ss. 341, 323, 324, 325, 452, 427 and 506(ii) IPC. It was read over and explained to the accused. He pleaded not guilty. He was defended by a counsel of his choice.

4. CW1 to CW10 were cited as prosecution witnesses. Out of that CW1, CW2 and CW3 were examined as PW1 to PW3 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, 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 at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, wrongfully restrain PW1?

2. Did the accused at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, voluntarily cause hurt to PW1?
3. Did the accused at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, voluntarily cause hurt to PW1 using dangerous weapon like knife?
4. Did the accused at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, commit criminal trespass after making preparation for causing hurt to PW1?
5. Did the accused at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, caused mischief by destroying the marble table and 30 litres of toddy and sustained loss of Rs. 12,000/- to PW1?
6. Did the accused at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, threaten to kill PW1 as alleged?
7. Did the accused at 9.15 a.m on 3.2.2018 toddy shop at Kombinpalam gate, voluntarily cause grievous hurt to PW1 and he lost two teeth on his lower jaw and injuries on his pointing finger?
8. Whether the accused is guilty of offences as alleged? If found guilty, what is the order as to sentence?

**7. Point nos 1 to 7 :** - These points are considered together for the sake of brevity and convenience. PW1 deposed that he is the first informant in this case. He gave statement to the police. He identified his signature in the statement. FIS is marked as Ext. P1. He further deposed that there is no

incident of wrongful restrain, criminally trespass after making preparation for causing grievous hurt and causing mischief and threatening to kill by the accused as alleged by the prosecution. He has no complaint against the accused.

8. PW2 deposed that he has not witnessed the incident and he has no complaint against the accused.

9. PW3 deposed that there is no incident of attack from the side of accused. He further deposed that he did not see the incident and he has no complaint against the accused.

10. PW1 to PW3 turned hostile to the prosecution. The examination of other witnesses was given up by learned Assistant Public Prosecutor, since the material witness did not support the prosecution case. Even though PW1 to PW3 were put 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 to PW3 that the matter has been settled between the parties. There are no materials before this court to conclude that the accused has committed the above offences. Therefore, this court is inclined to acquit the accused. Hence point nos. 1 to 7 are found against the prosecution.

**11. Point no. 8:** In view of my finding on point nos. 1 to 7, accused is found not guilty of the offences punishable under sections 341, 323, 324, 325, 452, 427 and 506(ii) IPC. He is acquitted under sec. 248(1)Cr.PC of the above offences. His bail bond stands cancelled and he is set at liberty.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open Court, this 13<sup>th</sup> day of March, 2026)

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

**APPENDIX**

**WITNESSES EXAMINED FOR THE PROSECUTION**

PW 1 : Raveendran (First Informant)

PW 2 : Sumesh (Injured witness)

PW 3 : Pradeep (Scene mahazar witness)

**WITNESSES EXAMINED FOR THE DEFENCE:** Nil

**EXHIBITS MARKED FOR THE PROSECUTION:**

Ext. P1 : FIS dated 3.2.2018 marked through PW1.

**EXHIBITS MARKED FOR THE DEFENCE:**Nil.

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