

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
6.4.17	24.1.18	Nil	28.10.22	28.10.22	26.3.26	28.3.26	No delay

Judgment in Calender Case no. 442/2018 on the file of the
 Judicial Ist Class Magistrate-1 of Ottapalam.

Complainant :State represented by Sub Inspector of Police, Shornur Police Station in crime no. 237/2017.

Sl.No	Name of accused	Age	Father's Name	Residence	Taluk
1.	Rajeesh	33	Subramanian	Shornur	Ottapalam
2.	Rigesh	24	Unnikrishnan	Shornur	Ottapalam
3.	Sruthi	26	Rajeesh	Shornur	Ottapalam

Offences : U/ss 341, 323, 324, 326 and 427 r/w 34 IPC.

Finding : Not guilty

Sentence or order : Accused are found not guilty of the offences punishable u/s. 341, 323, 324, 326 and 447 r/w 34 IPC. They are acquitted u/s. 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 }	Calendar case no. of 200.....
“ Receipt }20...	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

Saturday, 28th day of March, 2026
7th Chaithram, 1948(S.E)

Calender Case no. 442/2018

Complainant	: State represented by Sub Inspector of Police, Shornur Police Station in crime no. 237/2017. (By Sri. Muhammed Sajith, A.P.P. Gr.II, Ottapalam)
Accused	: 1. Rajeesh aged 33/17 Years, S/o Subramanian, Menakath veedu, Vadanamkurussikurussi, Shornur. 2. Riges h aged 24/17 Years, S/o Unnikrishnan, Kaniyalath veedu, Vadanamkurussikurussi, Shornur. 3. Sruthi aged 26/17 Years, S/o Rajeesh, Menakath veedu,Vadanamkurussikurussi, Shornur. (By Adv. Sri. Jairam & Smt. Reshma. P)
Offence	: U/ss 341, 323, 324, 326 and 427 r/w 34 IPC.
Plea	: Not guilty
Finding	: Not guilty
Sentence or order	: Accused are found not guilty of the offences punishable u/s. 341, 323, 324, 326 and 447 r/w 34 IPC. They are acquitted u/s. 248(1) Cr.P.C 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.	Rajeesh	33	Subramanian	Shornur	Ottapalam
2.	Rigesh	24	Unnikrishnan	Shornur	Ottapalam
3.	Sruthi	26	Rajeesh	Shornur	Ottapalam

Date of

Offence	Report or complaint	Apprehension	Release on bail	Commence-ment of trial	Close of trial	Sentence or order
6.4.17	24.1.18	Nil	28.10.22	28.10.22	26.3.26	28.3.26

This case having been heard on 26.3.26 and the court on 28.3.26 passed the following.

J U D G M E N T

The accused persons stand charge sheeted by the Sub Inspector of Police, Shornur Police Station in crime no. 237/2017 alleging commission of offences punishable under sections 341, 323, 324, 326 and 427 r/w 34 IPC.

2. The prosecution case is that on 6.4.2017 at about 8.00 hours, accused in furtherance of their common intention, due to the previous animosity towards CW1 wrongfully restrained him and beat him using stick and thus he caused grievous injuries on his lips and thus he lost his teeth on the lower

jaw when CW2 tried to prevent the attack, third accused beat her and pulled her. Accused destroyed his pipe line connection and thus he caused a loss.

Thus the accused are 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, 326 and 427 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 341, 323, 324, 326 and 427 r/w 34 IPC. It was 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 respectively and Ext. P1 was marked. The examination of other witnesses were given up by APP. Since there were no incriminating circumstances brought out in evidence against the accused, examination under section 313(1)(b)Cr.P.C was dispensed with. No defence evidence was adduced.

5. Heard both sides.

6. The points that arise for consideration are : -

- 1 Did the accused persons in furtherance of their common intention wrongfully restrain PW1 as alleged?
- 2 Did the accused persons in furtherance of their common intention cause hurt to PW1 as alleged?
- 3 Did the accused persons in furtherance of their common intention cause hurt to PW1 and PW2 as alleged?
- 4 Did the accused persons in furtherance of their common intention cause grievous hurt to PW1 with dangerous weapons like stick as alleged?
- 5 Did the accused persons in furtherance of their common intention destroyed the pipe line outside the house and thereby caused loss to PW1 as alleged?
6. Whether the accused are guilty of offences as alleged? If found guilty, what is the order as to sentence?

7. **Point nos. 1 to 5** : - These points are considered together for the sake of brevity and convenience. PW1 is the first informant. He deposed that he gave statement before police. He identified his signature in the statement. FIS is marked as Ext.P1. He did not identified the accused persons wrongfully restrained him and attacked him and caused grievous hurt to him with dangerous weapon. He has no complaint against the accused persons.

8. PW2 deposed that PW1 is her husband. She deposed that she did not see the incident. She 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 was given up by learned APP, since the material witnesses did not support the prosecution case. Even though PW1 and PW2 were put questions which would be asked in cross examination, nothing was brought out in support of the prosecution case. It appears from the testimony 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 had committed the above offences. Therefore, this court is inclined to acquit the accused person. Hence point nos. 1 to 5 are found against the prosecution.

10. Point no. 6: In view of my finding on point nos. 1 to 5, the accused are found not guilty of the offences punishable u/s. 341, 323, 324, 326 and 427 r/w 34 IPC. They are acquitted u/s. 248(1) Cr.P.C of the said offences. Their bail bonds stand cancelled and they are set at liberty.

Stick produced as per property list shall be destroyed being valueless after the expiry of appeal period.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open Court, this, 28th day of March, 2026)

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

APPENDIX

WITNESSES EXAMINED FOR THE PROSECUTION:

PW 1 : Divakaran (First Informant)

PW 2 : Ambika (injured witness)

WITNESSES EXAMINED FOR THE DEFENCE: Nil

EXHIBITS MARKED FOR THE PROSECUTION:

Ext .P1 : FIS dated 8.4.2017 marked through PW1.

EXHIBITS MARKED FOR THE DEFENCE:Nil

Judicial First Class Magistrate-1, Ottapalam