

**IN THE COURT OF THE JUDGE
SPECIAL COURT FOR SC/ST (POA) ACT/
ADDITIONAL SESSIONS COURT MANNARKKAD.**

Present : Sri. Jomon John, Judge.

Wednesday the 08th day of April 2026.

18th day of Chaithra, 1948 S.E

Sessions Case No. 515/2024

Complainant	:	State of Kerala represented by the Deputy Superintendent of Police, Shornur. (Rep.by. Sri Rajeev N, Special Public Prosecutor, Mannarkkad).
Name of Accused	:	Radhakrishnan @ Katta S/o Chandran, aged 45/24, Kottekkattil Veedu, Aravakkadu, Ambalappara (PO), Ottapalam.
Charge	:	Offences Punishable U/Ss.341, 323 of the Indian Penal Code, U/Ss.3(1) (s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989.
Plea of the accused	:	Not guilty
Finding of the judge	:	The accused is found not guilty of the offences punishable U/Ss.341, 323 of the Indian Penal Code, U/Ss.3(1) (s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989.
Sentence or order	:	The accused is acquitted U/s. 232 of Cr.P.C. The bail bond executed by the accused shall be in force for a period of six months from this date as per section 437A Cr.P.C.
Name of Police Station and Crime No. of the offences	:	Ottapalam Police Station. Cr.No. 482/2024.
Prosecution conducted by	:	Sri. Rajeev N, Special Public Prosecutor, Mannarkkad
Accused defended by	:	Adv. Sri. K. R. Santhoshkumar.

JUDGMENT

This is a case charge sheeted by the Deputy Superintendent of Police, Shornur alleging the offences punishable U/Ss.341, 323 of Indian Penal Code, U/Ss.3(1) (s) and U/s.3 (2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989.

2. Prosecution case is, in brief, as follows:- The de facto complainant is a member of a Scheduled Caste and the accused does not belong to any Scheduled Caste/Tribe. They were in loggerheads. At 1.30 pm on 11-04-2024, the accused wrongfully restrained the de facto complainant on a public road lying at Aravakkad and voluntarily caused hurt to him by slapping on her cheek. In the same transaction, the accused abused the de facto complainant by calling her caste name within public view. Hence, the accused is booked for the offences punishable U/Ss. 341, 323 of the Indian Penal Code, U/Ss.3(1) (s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989.

3. On appearance of the accused, the copies of all relevant prosecution records were furnished to him. He was enlarged on bail. Thereafter, the learned Special Public Prosecutor opened this case by describing the charge brought against the accused and stating by what evidence he proposed to prove his guilt. Upon consideration of the records of the case and documents submitted therein and after hearing the submissions of the accused and the prosecution, a charge was framed against the accused for the offences punishable U/Ss. 341, 323 of the Indian Penal Code, U/Ss.3(1) (s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989. When it was read over and explained to the accused, he pleaded not guilty.

4. To prove its case, the prosecution examined PW1 and PW2 and Ext.P1 to Ext.P8 documents were marked. Since both the material witnesses, including the victim, did not support the prosecution as the entire matter had been amicably settled out of court, the examination of remaining witnesses was given up by the learned Special Public Prosecutor. As there is no incriminating circumstances brought out in evidence against the accused, his questioning U/s. 313 Cr.P.C was dispensed with.

5. Heard both sides U/s. 232 Cr.P.C.

6. Points that arise for consideration:-

1. Whether the prosecution has succeeded in establishing the guilt of the accused for the commission of the offences charged against him?.
2. What is the punishment, if any, to be awarded to the accused?

7. **Point No.1**- PW1-Visala is the de facto complainant and sole injured in this case. In the witness box, she substantiated her caste identity. She has further testified that she had

close acquaintance with the accused as he is her neighbour. However, PW1 denied that she had sustained any bodily hurts in the alleged occurrence. She further denied that the accused had verbally abused her. Although PW1 admitted her signature in Ext.P1 F.I Statement, she directly denied its contents. Besides that, PW1 frankly admitted that the entire matter had been amicably settled out of court with the accused.

8. PW2-Unnikrishnan was examined as an eye witness. Although he expressed his acquaintance with PW1 and the accused. PW2 denied that he had witnessed the alleged occurrence.

9. Although PW1 and PW2 were declared hostile to the prosecution and cross examined by the learned Special Public Prosecutor, nothing was extracted from their mouths in support of the prosecution.

10. From the material evidence of PW1, her caste identity is proved without any challenge. However, her evidence does not disclose that she sustained any bodily hurts in the alleged occurrence. So also, PW1 denied the allegation that the accused had verbally abused her. The testimonial inputs of PW2 also would not improve the prosecution case any more. Therefore, there is absolutely no evidence on record to connect the accused with the alleged occurrence. Besides that, it is deciphered from the evidence of PW1 that the entire matter has been amicably settled out of court with the accused. Hence, it is held that the prosecution has failed to prove the guilt of the accused beyond all reasonable doubt. Hence, **Point No. 1** is answered against the prosecution.

11. **Point No. 2:-** In the result, the accused is found not guilty of the offences punishable U/Ss.341, 323 of the Indian Penal Code, U/Ss. 3(1) (s) and 3(2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989 and he is acquitted for the same U/s. 232 Cr.P.C. The bail bond executed by the accused shall be in force for a period of six months from this date as per section 437A Cr.P.C.

Dictated to the Confidential Assistant, typed and transcribed by her, corrected and pronounced by me in open court on this the 08th day of April, 2026.

Judge,
Special Court For SC/ST (POA) Act Cases,
Mannarkkad.

APPENDIX

Witness examined for the prosecution :

PW1 : Visala D/o Chami, Ambalappara, Ottapalam

PW2 : Unnikrishnan S/o Ayyappan, Ambalappara-II, Ottapalam.

Exhibits marked for prosecution

Ext.P1 : FI statement dated 11-04-2024

Ext.P2 : FIR dated 11-04-2024

Ext.P3 : Scene mahazar dated 12-04-2024

Ext.P4 : Scene plan dated 27-05-2024

Ext.P5 : Wound certificate of CW1 dated 11-04-2024

Ext.P6 : Caste certificate of CW1 (Form III) dated 28-05-2024

Ext.P7 : Caste certificate of accused dated 27-05-2024

Ext.P8 : Complete address of accused adding report dated 18-05-2024

Material Objects marked:- : Nil

Witness examined for the defence : Nil

Exhibits marked for the defence : Nil

Tabular Statement as per Rule 207 of Cr.P.C. of Kerala

1. Serial No. :
2. Name of Police Station and : Ottapalam Police Station
Crime No. of the offences : Cr.No. 482/2024
3. Description of the accused

Name	Father's Name	Age	Residence
Radhakrishnan @ Katta	Chandran	45/24	Ottapalam, Palakkad

4. Date of Occurrence : 11-04-2024
- Date of complaint : 11-04-2024
- Date of arrest : Not arrested
- Released on bail : 17-05-2024
- Commencement of trial : 01-04-2026

Close of trial : 01-04-2026
Date of judgment : 08-04-2026
Explanation of delay : No delay.

Judge,
Special Court for SC/ST (POA) ACT/
Additional Sessions Court
Mannarkkad.

Fair/Copy of Judgment

in SC – 515/2024

Dated : 08-04-2026