

IN THE COURT OF JUDICIAL MAGISTRATE OF THE FIRST CLASS MANNARKKAD

Present: LILLY KRISHNAN, B.Sc., LL.B., M.B.A.,

Judicial Magistrate of the First Class

Thursday, the 30th day of April, 2026

(10th day of Vaisakha, 1948, S.E.)

CC. No.654/2022

(Nattukal Police Station Crime No.276/2022)

Complainant : State represented by the Sub Inspector of Police, Nattukal
: Police Station.
(By Abdul Vahab.V, Assistant Public Prosecutor Gr.I)

Accused : A1: Saf Muhammed, aged 35 years, S/o Moideen,
Valanjipilakkal veedu,55th Mile,
Arakumparambu,Malappuram.
A2: Illiyas,aged 25 years, S/o Moideen, Valanjipilakkal
vedu,55th Mile, Arakumparambu,Malappuram.
(Rep. By Sri.M.N.Sakkeer Hussain, Advocate)

Offences : u/s 341,323,324,427 r/w 34 of IPC

Plea : Not guilty

Finding : Not guilty

Order : The accused no.1 and 2 found not guilty of offences
punishable U/Ss. 341,323,324,427 r/w 34 of IPC and
accordingly they are acquitted of the said offences U/S. 248
(1) of Cr.P.C. Their bail bond stands cancelled and they are
set at liberty forthwith. Property shall be disposed of in
accordance with law.

DESCRIPTION OF ACCUSED

Sl.No.	Name of accused	Father's Name	Age	Village	Taluk
1.	Saf Muhammed	Moideen	35	--	--
2.	Illiyas	Mideen	25	--	--

DATES OF

Occurrence	Complaint	Apprehen- sion	Release on bail	Commence ment of trial	Close of trial	Sentence or Order
07.06.2022	09.06.2022	26.07.2022	26.07.2022	06.02.2026	27.04.2026	30.04.2026

This case coming on for today's proceedings, the court delivered the following:

J U D G M E N T

The accused no.1 and 2 stand trial for the offence punishable U/Ss. 341,323,324,427 r/w 34 of IPC

2. Prosecution case in brief is as follows:- On 07.06.2022, at 20.30 hours, accused no.1 because of animosity with PW1 as he questioned the accused about the entering of his goats from his farm into the compound of PW1, and accused no. 1 wrongfully restrained PW1 and beat him with hands and the second accused beat PW1 with iron stick and when PW2, PW3 and PW4 tried to intervene, the second accused using iron stick hit on various parts of body of PW2, PW3 and PW4 and damaged the glass of autorickshaw of PW2 by accused no. 2 and thereby committed offences punishable under Section 341,323,324,427 r/w 34 of IPC.
3. Cognizance was taken for the offences punishable under section U/Ss. 341,323,324,427 r/w 34 of IPC. Summons was issued and in compliance of the same, the accused no.1 and 2 appeared before this court and was released on bail. The copies of prosecution records were furnished to the accused persons and thus complied with section 207 of Cr.P.C. After hearing both sides, charge for offences U/Ss. 341,323,324,427 r/w 34 of IPC were framed. Charge was read over and explained to the accused no.1 and 2 to which they pleaded not guilty. The accused were defended by a counsel.
4. CW1 to CW15 were cited as prosecution witnesses. Out of that, CW1,CW2,CW3,CW4 were examined as PW1 to PW4. The FIS was marked as Ext.P1 through PW1. The other witnesses were given up by the learned APP. Since there were no incriminating circumstances brought out in evidence against the accused persons examination u/s.

313(1)(b) of Cr.P.C was dispensed with. No defence evidence was adduced.

5. Heard both sides.

6. Following points arise for consideration:-

1. Whether prosecution has succeeded in proving that the accused no.1 and 2 had wrongfully restrained PW1 and thereby committed an offence punishable under section 341 r/w 34 of IPC?
2. Whether prosecution has succeeded in proving that the accused no.1 and 2 had voluntarily caused hurt to PW1 and thereby committed an offence punishable under section 323 r/w 34 of IPC?
3. Whether prosecution succeeded in proving that the accused no.1 and 2 had voluntarily caused hurt to PW1 with iron stick used as dangerous weapon and thereby committed offence punishable under section 324 r/w 34 of IPC?
4. Whether prosecution has succeeded in proving that the accused had committed mischief by destroying the glass of PW1 thereby causing a loss to PW1 and thereby committed an offence punishable under section 427 r/w 34 of IPC?
5. What is the sentence, if any, to be awarded to the accused persons?

7. **Point No.1 to 4:-** PW1 deposed that he had given complaint to Nattukal police. The attack was during night. So he could not see who had injured him. PW2 also deposed in tune of PW1. PW3 and PW4 also deposed in tune of PW1. Thus on an analysis of entire prosecution evidence there is no evidence to connect accused no.1 and 2 with the offences alleged and it can be safely concluded that prosecution failed

to prove the guilt of accused no.1 and 2 beyond reasonable doubt. These points are found against the prosecution.

8. **Point No. 5:-** In view of finding on point No. 1 to 4, this court finds that the accused no.1 and 2 are guilty of the offences punishable U/Ss. 341,323,324,427 r/w 34 of IPC and they are entitled to be acquitted of the said offences.

In the result, the accused no.1 and 2 are found not guilty of offences punishable U/Ss. 341,323,324,427 r/w 34 of IPC and accordingly they are acquitted of the said offences U/S. 248 (1) of Cr.P.C. Their bail bond stand cancelled and they are set at liberty forthwith. Property shall be disposed of in accordance with law.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me, in open court, on this the 30st day of April, 2026.)

Lilly Krishnan
Judicial Magistrate of the First Class,
Mannarkkad

APPENDIX

Witnesses for Prosecution:

PW1 : Sulfikar Ali,S/o Siddiq examined on 27.04.2026
PW2 : Haris, S/o Siddiq examined on 27.04.2026
PW3 : Mubashir,S/o Muhammadali examined on 27.04.2026
PW4 : Murshid,S/o Muhammadali examined on 27.04.2026

Exhibits for Prosecution:

P1 : FIS marked through PW1

Witness and exhibits for Defence: Nil

Material objects marked: Nil

Lilly Krishnan
Judicial Magistrate of the First Class,
Mannarkkad

Fair/Copy of Judgment in

CC No.654/2022

Dated 30.04.2026.
