

**IN THE FAST TRACK SPECIAL COURT, PATTAMBI**

Present: Sri.Dinesh M Pillai, Special Judge

Thursday, the 7<sup>th</sup> day of May 2026/ 17<sup>th</sup> Vaisakha, 1948

**SESSIONS CASE No.1020/2024**

(Cr.No.543/2024 of Shornur Police Station)

|                      |   |
|----------------------|---|
| Complainant          | State of Kerala represented by the Inspector of Police, Shornur Police Station.   |
|                      | <i>(Rep. by Sri.Sandeep.K, Spl. Public Prosecutor)</i>  |
| Accused              | Ranjith V.M, Aged-24, S/o.MuraleedharanV.M, Aranolichalil House, Panjal, Cheruthuruthi, Thrissur.                                   |
|                      | <i>(Rep.by Advs.V.K.Krishnakumar, E.K Mahesh)</i>   |
| Charge               | U/S.363 & 366u/S.376(3), 376(2)(n) of IPC and u/S.10 r/w S.9(l), u/S. 4(2) r/w S.3(a) & 3(b) and u/S.6 r/w S.5(l) of the POCSO Act. |
| Plea of the accused  | Not guilty  |
| Finding of the Judge | Not guilty  |

|                |  |
|----------------|--|
| Sentence/Order | The accused is found not guilty of the offences punishable u/Ss. 363 & 366u/S.376(3), 376(2)(n) of IPC and u/S.10 r/w S.9(l), u/S. 4(2) r/w S.3(a) & 3(b) and u/S.6 r/w S.5(l) of the POCSO Act and he is acquitted u/S.255 of the BNSS. |
|----------------|--|

**Description of the accused**

| Sl. No. | Name of the Police Station and Crime No.of the accused | Name        | Rank | Father's Name    | Occupation |
|---------|--|-------------|------|------------------|------------|
| 1       | Cr.No.543/2024 of Shornur Police Station               | Ranjith V.M | -    | MuraleedharanV.M | ---        |

| Sl.No. | Residence     | Age | Occurrence                    | Date of Complaint (Final report) | Apprehension |
|--------|---------------|-----|-------------------------------|----------------------------------|--------------|
| 1      | Cheruthuruthi | 24  | From 07.11.2023 to 24.05.2024 | 30.10.2024                       | 09.08.2024   |

| Release on Bail | Committal | Commencement of trial | Commencement of evidence | Close of trial | Sentence or Order |
|-----------------|-----------|-----------------------|--------------------------|----------------|-------------------|
| 24.10.2024      | --        | 05.12.2025            | 12.03.2026               | 07.05.2026     | 07.05.2026        |

| Service of copy of Judgment or finding on accused | Period of detention undergone during investigation inquiry or trial for the purpose of section 428 Cr.PC. | Explanation for delay |
|---|---|-----------------------|
| No right for free copy                            | ---   | No delay              |

This case, having been finally heard on 07.05.2026 and the court on the same day delivered the following:-

### **J U D G M E N T**

1. This case is based on a final report filed by the Inspector of Police, Shornur Police station, alleging offences u/Ss. 363, 376(1) & 376(3) of IPC and u/S.4(2) r/w S.3(a) & 3(b), u/S.6(1) r/w S.5(l), u/S.8 r/w S.7 & u/S.10 r/w S.9(l) of the PoCSO Act.

2. Case of the prosecution is as follows:- The accused had kidnapped CW1, who was aged 15 years from the keeping of her parents on 07.11.2023 & 18.12.2023 towards the Ullas Lodge at Malampuzha and on 24.05.2024 towards the Paris Tourist Home at Shornur. On 07.11.2023 in room No.104 of the Ullas Lodge, Malampuzha, 18.12.2023 in room No.105 of the Ullas Lodge, Malampuzha and on 24.05.2024 in room No.13 of the Paris Tourist Home, Shornur the accused had subjected CW1 with repeated sexual assault by kissing on her breast & stomach with sexual intent. On 07.11.2023 in room No.104 of the Ullas Lodge, Malampuzha the accused had subjected CW1 with penetrative sexual assault by inserting his finger in to her private part and on 24.05.2024 in room No.13 of the Paris Tourist Home, Shornur again subjected CW1 with penetrative sexual assault and thus committed the offences alleged.

3. The case was originally registered by CW34 as Crime No.398/2024 of Elamakkara Police Station, based on the F.I.Statement of CW1, recorded by

CW24. Later, the case was transferred to the shornur Police Station since the place of occurrence is also within that Police Station. Consequently, CW37 had re-registered the case, conducted the investigation and laid the final report before the Court. The accused who had been arrested on 09.08.2024 was remanded to judicial custody and he was released on bail on 24.10.2024.

4. The final report in the case was originally filed before the 1<sup>st</sup> Addl. Sessions Court, Palakkad. The said Court took cognizance of the offence and later made over the case to this Court, for disposal.

5. Before this Court, the accused entered appearance and he was served with copies of relevant records in the case u/S.207 Cr.P.C. After hearing the prosecution and the accused, charge against him u/S.363 & 366u/S.376(3), 376(2)(n) of IPC and u/S.10 r/w S.9(l), u/S. 4(2) r/w S.3(a) & 3(b) and u/S.6 r/w S.5(l) of the POCSO Act was framed; to which the accused pleaded not guilty.

6. Prosecution had examined PW1 to PW3 and marked Exts.P1 to P19 series on its side. CWs.3 to 36 were given up by the prosecution. Questioning of the accused u/s.351 of the BNSS was dispensed with since there was nothing available to incriminate the accused.

7. Heard under Section 255 of the BNSS.

8. The only Point for consideration is: Whether the accused is entitled to be acquitted under Section 255 of the BNSS?

9. **The Point:-** PW1 is the victim who is alleged to have been kidnapped & raped by the accused. But PW1 had denied that the accused had kidnapped or subjected her with penetrative sexual assault, while she was minor. PW1 who denied that she had given any statement against the accused before the Police had disowned her statement, incriminating the accused. The Prosecution which declared PW1 as hostile had marked the said portion of the F.I. Statement as Ext.P1.

10. PW2 is the mother of PW1 and she deposed that PW1 had given a complaint before the Elamakkara Police. But PW2 does not know for what purpose PW1 had given the said complaint and she denied that the accused had kidnapped or subjected PW1 with penetrative sexual assault, while she was a minor and that PW1 had informed her as above. PW2 has denied that she had given any statement before the Police, incriminating the accused.

11. PW3 was the Inspector of Shornur Police Station who conducted the investigation in the case and laid the final report in the case. PW3 had identified Exts.P2 as the FIR in the case registered by CW34 at the Elamakkara Police Station, based on Ext.P3 F.I statement of PW1 recorded by CW24. Since the place of occurrence was within the Shornur Police Station, the case records were sent to that Police Station, whereupon the case was re-registered by CW36 under Ext.P4 FIR of that Police Station. PW3 had also identified Ext.P5 series to P19 as the other records prepared by him in the case. On completion of the investigation, PW3 laid the final report before the Court on 30.10.2024.

12. As noted earlier, PW1, cited as the victim alleged to have been kidnapped & raped by the accused and denied that the accused had kidnapped or raped her while she was a minor. PW1 also denied her statement before the Police, incriminating the accused. PW2 the mother of PW1 had also turned hostile to the Prosecution to deny that the accused had kidnapped or committed rape on PW1, while she was a minor.

13. Both PW1 & PW2 deposed that they even do not know the accused. Cross-examination on PW1 & PW2 by the Prosecution also has not brought out anything to support the Prosecution case. On the other hand, it has come out that the dispute between the accused and the witnesses had been settled and the witnesses have no complaint against the accused.

14. The evidence of PW3, the Police Officer who got no direct knowledge of the alleged incident and only conducted the investigation in the case or Exts. P2 to P19 marked through him are not sufficient to bring home the charges leveled against the accused. In the above circumstances, it is only to be concluded that there is no evidence available in the case sufficient to establish the commission of the offences by the accused, as it is alleged in the case.

15. **In the result,**

|   |  |
|---|--|
| a | The accused is found not guilty of the offences punishable u/S.363 & 366u/S.376(3), 376(2)(n) of IPC and u/S.10 r/w S.9(l), u/S. 4(2) r/w S.3(a) & 3(b) and u/S.6 r/w S.5(l) of the POCSO Act and he is acquitted u/S.255 of the BNSS. |
| b | The accused is set at liberty after cancelling his bail bond.  |

Dictated to the Confidential Assistant, typed by her, corrected by me and pronounced in open Court this the 07<sup>th</sup> day of May, 2026.

Sd/-

DINESH M.PILLAI,  
SPECIAL JUDGE

### **APPENDIX**

#### A. Prosecution Witness

| Rank     | Name        | Whether Eye Witness, Police Witness, Expert witness, Medical witness, Other Witness |
|----------|-------------|---|
| PW1/CW1  | ---         | Victim  |
| PW2/CW2  | ----        | Mother of victim  |
| PW3/CW22 | Ravikumar V | IP-SHO, Shornur.P.S   |

#### A. Prosecution Exhibits

| Sl.No | Exhibit Number    | Date       | Description              |
|-------|-------------------|------------|--------------------------|
| 1     | Exhibit P1/PW1    | 08.08.2024 | Portion of FI statement. |
| 2     | Exhibit P2/PW3    | 09.08.2024 | FIR(Elamakkara)          |
| 3     | Exhibit P3/PW3    | 08.08.2024 | FIS                      |
| 4     | Exhibit P4/PW3    | 02.09.2024 | FIR(Shornur)             |
| 5     | Exhibit P5/PW3    | 10.08.2024 | Scene mahazar            |
|       | Exhibit P5(a)/PW3 | 07.09.2024 | Scene mahazar            |
| 6     | Exhibit P6/PW3    | 09/09/2024 | Seizure mahazar          |
| 7     | Exhibit P7/PW3    | 06.09.2024 | Birth certificate        |
| 8     | Exhibit P8/PW3    | 09.08.2024 | MLR                      |
| 9     | Exhibit P9/PW3    | 07.09.2024 | Seizure mahazar          |
| 10    | Exhibit P10/PW3   | 07.09.2024 | Observation mahazar      |
| 11    | Exhibit P11/PW3   | 09.10.2024 | Seizure mahazar          |

|    |                    |            |                       |
|----|--------------------|------------|-----------------------|
| 12 | Exhibit P12/PW3    | 19.10.2024 | Seizure mahazar       |
| 13 | Exhibit P13/PW3    | ---        | Scene plan            |
|    | Exhibit P13(a)/PW3 | 10.10.2024 | Scene plan            |
|    | Exhibit P13(b)/PW3 | 09.08.2024 | Scene plan            |
| 14 | Exhibit P14/PW3    | 11.09.2024 | Ownership certificate |
|    | Exhibit P14(a)/PW3 | 13.09.2024 | Ownership certificate |
| 15 | Exhibit P15/PW3    | 09.08.2024 | Arrest memo           |
| 16 | Exhibit P16/PW3    | 09.08.2024 | Arrest intimation     |
| 17 | Exhibit P17/PW3    | 09.08.2024 | Inspection memo       |
| 18 | Exhibit P18/PW3    | 09.08.2024 | Address report        |
| 19 | Exhibit P19/PW3    | 09.08.2024 | Potency certificate   |

**B. Defence Witness**

| Rank | Name | Whether Eye Witness, Police Witness, Expert witness, Medical witness, Other Witness |
|------|------|---|
| --   | NIL  | NIL   |

**B. Defence Exhibits**

| Sl.No. | Exhibit Number | Date | Description |
|--------|----------------|------|-------------|
| --     | NIL            | NIL  | NIL         |

**C. Court Witness**

| Rank | Name | Whether Eye Witness, Police Witness, Expert witness, Medical witness, Other Witness |
|------|------|---|
| --   | NIL  | NIL   |

**C. Court Exhibits**

| Sl.No. | Exhibit Number | Description |
|--------|----------------|-------------|
| --     | NIL            | NIL         |

**D. Material Objects**

| Sl.No. | Exhibit Number | Description |
|--------|----------------|-------------|
| --     | NIL            | NIL         |

Sd/-

DINESH M.PILLAI,  
SPECIAL JUDGE

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DINESH M.PILLAI,  
SPECIAL JUDGE

**Fair/Copy Judgment**  
**SC.No.1020/2024**  
**Date: 07.05.2026**