

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, RANNI
Present: Sri.Arunkumar.R.C., Judicial First Class Magistrate

Tuesday the 17th day of March, 2026/ 26th Phalguna 1947 (S.E)

CC 363/18

Complainant : State represented by the Sub
Inspector of Police, Perunadu
(Cr.No.846/16)
(By APP, Ranni)

Accused : Pradeep, aged 53 years,
S/o.Rajappan, Arjun Bhavan,
Madamon P.O., Perunadu Village.
(By Adv.T.S.Saji)

Section of law : u/s. 354(D)(1)(ii) r/w 34 IPC & 67(B) IT Act

Plea : Not guilty

Finding : Not guilty

Sentence or order : Accused is acquitted u/s.248(1) Cr.P.C.

DESCRIPTION OF THE ACCUSED

Sl. No	Name	Father's name	Occupation	Residence	Age
1	Pradeep	Rajappan		Arjun Bhavan, Madamon P.O., Perunadu Village	53

Date of

Offence	Complaint	Appearance	Release on bail	Commencement of trial	Close of trial	Sentence or order	Expln. for delay
13-07-16	13-07-16	6-08-24	6-08-24	6-08-24	16-03-26	17-03-26	

This case was finally heard on 17-03-2026, and this court, on the same day delivered the following:-

JUDGMENT

The accused in this case are charge-sheeted by the Sub Inspector of Police, Perunadu Police Station in Crime No. 846/16 of the said station. The accused is alleged to have committed the offences under sections 354(D)(1)(ii) r/w 34 IPC & 67(B) IT Act.

2. The case of the prosecution is as follows: - The first accused is the son of the second accused. The de facto complainant in this case is the wife of second accused's brother. The first accused, a CCL, with the intention to defame the defacto complainant before the society and family created a fake facebook profile of the defacto complainant in his phone on a day in June 2016. Thereafter screenshots of the obscene chats purported to be made between the de facto complainant and one Sumesh B Panikkar were saved in the mobile phone of the second accused. The accused showed the aforesaid screenshots to witnesses number 2 to 5 and others and caused embarrassment and mental agony to the defacto complainant. Thereby, the accused are alleged to have committed the offences under Sections 354(D)(1)(ii) r/w 34 IPC & 67(B) IT Act.

3. A separate charge is filed against the first accused before the JJB, Pathanamthitta. The second accused is the sole accused facing trial in this case. On the appearance of the accused, copies of all prosecution documents were

served on him. The accused was granted bail. After hearing on framing charge, the charge was framed against the accused for the offences punishable under sections 354(D)(1)(ii) r/w 34 IPC & 67(B) IT Act, read over and explained to the accused, to which he pleaded not guilty and claimed to be tried.

4. Evidence of the prosecution consists of the oral testimony of PW1. After prosecution witness was examined, no incriminating circumstances appeared in prosecution evidence against the accused and hence examination under section 313(1)(b) of the Code of Criminal Procedure, 1973 was dispensed with. No evidence is adduced from the side of the defence.

5. Heard the learned Assistant Public Prosecutor and counsel for the accused.

6. **The following points arise for consideration in this case:-**

- (i). Has the prosecution proved its case beyond reasonable doubt?
- (ii). What shall be the sentence or the order, if any, to be passed against the accused?

7. **Point No (i) :-** Sindhu Sajeew, the defacto complainant is the sole injured in this case. She is examined as PW1. She is an employee of the Health department. She deposed that someone started a fake facebook account in her name, took screenshots of its messages and posted them on her family whatsApp group. She had filed a complaint with the District Police Chief, Pathanamthitta. She has turned hostile to the prosecution and stated that she does not remember

who created her fake face book account and shared screen shots of fake chats. The other witnesses are given up by the prosecution. The sole injured witness examined by the prosecution turned hostile to the prosecution and denied the prosecution case. The other witnesses are given up by the learned APP. As the available evidence is not sufficient to establish the guilt of the accused, I have no other option than to answer this point against the prosecution. Thus, the point (i) is answered against the prosecution.

8. Point no (ii):- In view of the finding in point number (i), the prosecution has failed to prove the guilt of the accused. Hence, Point number (ii) does not arise for consideration.

In the result, the accused is found not guilty of the offences under sections 354(D)(1)(ii) r/w 34 IPC & 67(B) IT Act. He is acquitted under section 248(1) Cr.PC of the said offences. The bail bond executed by the accused stands cancelled and he is set at liberty.

Dictated to the Confidential Asst., transcribed by her, corrected by me and pronounced in the Open court, on this the 17th day of March, 2026.

Sd/-
Judicial First Class Magistrate-I,
Ranny

Appendix

A. Prosecution witness

Rank		Name	Whether Eye witness Police witness, Expert Witness, Medical Witness, Other witness
1	:	Sindhu Sajeev	Injured witness

B. Defence witness

Rank		Name	Whether Eye Witness, Police Witness, Expert Witness, Medical Witness, Other Witness
Nil		Nil	Nil

C. Court witness

Rank		Name	Whether Eye Witness, Police Witness, Expert Witness, Medical Witness, Other Witness
Nil		Nil	Nil

List of Prosecution/Defence/ Court Exhibits

A. Prosecution Exhibits

Sl. No		Exhibit Number	Description
Nil		Nil	Nil

B. Defence Exhibits

Sl. No.		Exhibit Number	Description
		Nil	Nil

C. Court Exhibits

Sl. No		Exhibit Number	Description
Nil		Nil	Nil

D. Material Objects

Sl. No	Material Objects	Description
1	Nil	Nil

Sd/-
Judicial First Class Magistrate-I,
Ranni

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