

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, CHAVAKKAD**

**Present: Smt. Saarika Sathyan V., Judicial First Class Magistrate,  
Dated this, Wednesday the 1<sup>st</sup> day of April, 2026/ 11<sup>th</sup> Chaithra, 1948.**

**CC 79/2022**

Complainant : State Rep. by the Sub Inspector of Police, Chavakkad Police Station  
in Crime No.1063/2021 of that police station.  
**(By APP- Chavakkad)**

Accused : 1. Chandradas, 74/21, S/o. Krishnankutty, Aalil House, Blangad  
Desom, Kadappuram Village.  
2. Vipindas, 38/21, S/o. Chandradas, Aalil House, Blangad Desom,  
Kadappuram Village.  
3. Veduraj, 68/21, S/o. Krishnankutty, Aalil House, Blangad Desom,  
Kadappuram Village.  
**(Rep. By Adv. Asoken Therlli)**

Offence : U/s. 323, 506(i), 294(b) r/w 34 IPC.

Plea : Not guilty

Finding : Accused are found not guilty of the offences punishable under  
sections 323, 506(i) r/w 34 IPC.

Sentence or Order : Accused are acquitted u/s. 278(1) of BNSS.

**Description of the Accused:**

Sl. No.	Name	Father's Name	Occupation	Residence	Age
1	Chandradas	Krishnankutty	-	Kadappuram	74/21
2	Vipindas	Chandradas	-	Kadappuram	38/21
3	Veduraj	Krishnankutty	-	Kadappuram	68/21

**Dates on which**

Occurrence	Complaint	Apprehension/ Appearance	Release on bail	Commencement of trial	Commencement of evidence	Close of trial	Sentence or Order	Period of Detention undergone during investigation, inquiry or trial for the purpose of section 428 of Cr.P.C.
15/05/19	07/01/22	21/10/25	21/10/25	21/10/25	09/02/26	31/03/26	01/04/26	-

This case having been heard finally on the 1<sup>st</sup> day of April, 2026 the court on the same day delivered the following:-

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

1. Accused are put on trial upon a final report filed by the Sub Inspector of Police, Chavakkad Police Station in Crime No.1063/2021 of that police station, alleging commission of offences punishable under sections 323, 506(i), 294(b) r/w 34 of IPC.
2. Prosecution case in brief is that: on 15/05/2019 at 10.00 hours, due to previous enmity, accused nos. 1 to 3 in furtherance of their common intention, uttered obscene words towards the defacto complainant, who is the daughter of A1 and sister of A2 and accused no.2 in the veranda of the house of CW1 at Irattappuzha, kicked on her abdomen. On 01/10/2020 at 12.40 hours, accused no.3 threatened the defacto complainant, to return the deed. Accused are thereby alleged to have committed offences punishable under sections 323, 506(i), 294(b) r/w 34 IPC.
3. The case was taken on file as CC 79/2022. On appearance of the accused, copies of all relevant prosecution records were furnished to them under section 230 of the BNSS. Accused were released on bail. Upon perusal of the prosecution records and after hearing both sides, particulars of offence, for offences punishable under sections 323, 506(i) r/w 34 IPC, was read over and explained to the accused, to which they pleaded not guilty and claimed to be tried. Charge not framed for offence u/s. 294(b) IPC, as ingredients not attracted.
4. On the side of the prosecution, PW1 and PW2 were examined and Ext.P1 was marked. As the material witnesses failed to support the prosecution case, the examination of the remaining witnesses were given up. In the absence of any incriminating evidence against the accused, questioning of the accused under section 351 of BNSS was dispensed with.
5. No evidence was let in by the defence.
6. Heard both sides. Perused records.
7. Points that arose for consideration are :-
  - I. Did the accused voluntarily cause hurt to CW1 as alleged?
  - II. Did the accused threatened CW1 as alleged?
  - III. Were the offences committed in furtherance of the common intention of all

accused?

IV. If accused are found guilty, what is the order as to sentence?

8. **Point Nos. I to III:-** Prosecution case is that accused had committed offences punishable under sections 323, 506(i) r/w 34 IPC. CW1 and CW2 though duly represented by a counsel in all postings were not ready and willing to be examined. Hence, examination of CW1 and CW2 were dispensed. PW1 is the witness to the alleged incident. PW1 turned hostile to the prosecution case stating, that he did not know about the alleged incident. PW2 is the witness to Ext.P1 scene mahazar. He identified his signature in it and deposed that, the place of occurrence is the house of Chandradas, near Blangad temple. No other witness had turned up. Examination of CW8 was dispensed as even if CW8 is examined nothing is going to improve the case of prosecution as material witness failed to enter into witness box. Nothing incriminating against accused was brought through PW1 and PW2.

9. The witnesses examined by the prosecution failed to establish the prosecution case. There is nothing on record to disclose that accused had committed the offence alleged by the prosecution. Having considered the evidence on record, I am of the view that the prosecution has failed to prove the guilt of the accused. For the said reason, these points are found against the prosecution.

10. **Point No. IV:-** As I have already found that the prosecution has failed to prove the involvement of the accused in the alleged offences, there is no question of passing any sentence against them.

In the result, accused are found not guilty of offences punishable under sections 323, 506(i) r/w 34 IPC. Accused are acquitted under section 278(1) of the BNSS. Their bail bonds stand cancelled and they are set at liberty.

*(Dictated to the Confidential Assistant, taken down and transcribed by her corrected and pronounced by me in open court on this, the 1<sup>st</sup> day of April, 2026)*

Sd/-  
Judicial First Class Magistrate, Chavakkad.

**APPENDIX****Prosecution witnesses**

PW1	Ramlal	Witness (CW4)
PW2	Suresh	Witness to scene mahazar (CW6)

**Defence witnesses:**

Nil

**Court witnesses:**

Nil

**Prosecution Exhibits:**

1	Ext.P1/PW2	Wound Certificate, dated 14/11/2021.
---	------------	--------------------------------------

**Defence exhibits:**

Nil

**Court exhibits:**

Nil

**Material objects:**

Nil

Sd/-

Judicial First Class Magistrate, Chavakkad.

/True Copy /

Judicial First Class Magistrate, Chavakkad.