

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, CHAVAKKAD
Present: Smt. Saarika Sathyan V., Judicial First Class Magistrate,
Dated this, Tuesday the 31st day of March, 2026/ 10th Chaithra, 1948.

Calendar Case No. 266/2019

- Complainant : State Rep. by the Sub Inspector of police, Vadanappilly Police Station in Crime No.30/2019 of that police station.
(By APP- Chavakkad)
- Accused : 1. Sidhiq, 29/19, S/o. Kochumuhammed, Valiyakath House, Puthukkulam Desom, Thalikkulam Village.
 2. Navab, 26/19, S/o. Haneefa, Kannankilakath House, Edakkazhiyur Desom, Punnayur Village. (Absconding)
(For A1, Adv. T.B. Chandrababu)
- Offence : U/s. 341, 324, 294(b) r/w 34 of IPC.
- Plea : Not guilty.
- Finding : The accused no.1 is found not guilty of the offences punishable under sections 341, 324, 294(b) r/w 34 of IPC.
- Sentence or Order : The accused no.1 is acquitted u/s. 248(1) of Cr.P.C. Since accused no.2 is absconding, case against him is split up and refiled as CC 215/2026.

Description of the Accused:

Sl. No.	Name	Father's Name	Occupation	Residence	Age
1	Sidhiq	Kochumuhammed	-	Thalikkulam	29/19
2	Navab	Haneefa	-	Punnayur	26/19

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.
11/01/19	15/02/19	15/01/24	15/01/24	29/07/25	25/03/26	25/03/26	31/03/26	-

This case having been heard finally on the 31st day of March, 2026 the court on the same day delivered the following:-

J U D G M E N T

1. Accused is put on trial upon a final report filed by the Sub Inspector of Police, Vadanappilly Police Station in Crime No.30/2019 of that police station, alleging commission of offences punishable under sections 341, 324, 294(b) r/w 34 of IPC.
2. Prosecution case in brief is that: on 11/01/2019 at 17.30 hours, due to previous enmity, when CW1 was driving an auto taxi bearing registration no. KL-46-J-103, accused restrained CW1 by using his car bearing registration no. KL-54-K-7773, driven by him and forcefully opened the door of the auto taxi and pulled the legs of CW1 and uttered obscene words. Accused no.1 inflicted injury on CW1 by hitting him with a knuckle duster. At that time, CW1 lost his control on the vehicle and it hit on a car bearing registration no. KL-47-E-8080, which was parked near the road and caused damage to that car. When the native people tried to prevent the accused, accused no.2 prevented them. Accused are thereby alleged to have committed offences punishable under sections 341, 324, 294(b) r/w 34 of IPC.
3. The case was taken on file as CC 266/2019. Accused no.2 is absconding. On appearance of the accused no.1, copies of all relevant prosecution records were furnished to him under section 207 of the Code of Criminal Procedure, 1973. Accused no.1 was released on bail. Upon perusal of the prosecution records and after hearing both sides, charge was framed for offences punishable under sections 341, 324, 294(b) r/w 34 of IPC and was read over and explained to the accused no.1, to which he pleaded not guilty and claimed to be tried.
4. On the side of the prosecution, PW1 was examined and Ext.P1 was marked. As the material witnesses failed to support the prosecution case, the learned Assistant Public Prosecutor gave up the remaining witnesses. In the absence of any incriminating evidence against the accused, questioning of the accused under section 313 of Cr.P.C. 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 wrongfully restrain the defacto complainant as alleged?
- II. Did the accused voluntarily cause grievous hurt to the defacto complainant by hitting with a knuckle duster as alleged?
- III. Did the accused uttered obscene words towards the defacto complainant as alleged?
- IV. If accused no.1 is 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 341, 324, 294(b) r/w 34 of IPC. PW1 is the defacto complainant in this case. He deposed that, he had sustained injury in the alleged incident and he had filed Ext.P1 complaint before the police. But, he further deposed that, the matter is settled and he has no complaint against the accused. Nothing incriminating against accused was brought through PW1. PW1 failed to support the prosecution case and turned hostile to the prosecution.

9. The witness examined by the prosecution failed to establish the prosecution case. There is nothing on record to disclose that the 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 no.1 in the alleged offences, there is no question of passing any sentence against him.

In the result, the accused no.1 is found not guilty of offences punishable under sections 341, 324, 294(b) r/w 34 of IPC. The accused no.1 is acquitted under section 248(1) of the Criminal Procedure Code, 1973. His bail bond stands cancelled and he is set at liberty. Since accused no.2 is absconding, case against him is split up and refiled as CC 215/2026.

(Dictated to the Confidential Assistant, taken down and transcribed by her corrected and pronounced by me in open court on this, the 31st day of March, 2026)

Sd/-
Judicial First Class Magistrate, Chavakkad.

APPENDIX**Prosecution witnesses**

PW1	Rasheed	Defacto Complainant (CW1)
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Defence witnesses:

Nil

Court witnesses:

Nil

Prosecution Exhibits:

1	Ext.P1/PW1	First Information Statement, dated 13/01/2019.
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Defence exhibits:

Nil

Court exhibits:

Nil

Material objects:

Nil

Sd/-

Judicial First Class Magistrate, Chavakkad.

/True Copy /

Judicial First Class Magistrate, Chavakkad.