

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST
CLASS KODUNGALLUR**

Present:- Smt. Sherin.R.A, Judicial Magistrate of First Class

Dated this the 16th March 2026/25th Phalguna 1948 SE

CC No. 397 OF 2020

State represented by the Sub Inspector of Police kaipamangalam P.S in Cr.No. 333/2020 (By APP Kodungallur)	:	Complainant
Abdul Jaleel, son of Hamsa, Mathilakath veetil house Chalingad, Kaipamangalam. (By Adv. K. J Joby)	:	Accused
Offence	:	341,323,324, 294(b) and 506(1) of IPC
Plea	:	Not guilty
Finding	:	Not guilty
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	Abdul Jalil	Hamsa	Nil	Chalingadu	45

Date of

Occurrence	Complaint	Appearance or apprehension	Release on bail	Commencement of trial	Close of trial	Sentence or order
5 4.2020	24.4.2020	19.4.2023	19.4.2023	11.4.24	16.3.2026	16.3.2026

This case having been finally heard on today the court delivered the following:

JUDGMENT

This case was taken on file based on the final report submitted by the S.I of Police, Kaipamangalam Police Station in Crime No.333/2020 registered against the accused alleging commission of offences punishable U/ss. 341,323,324, 294(b) and 506(1) of IPC

2. Prosecution case in brief is as follows:- .On 5/4/2020 at 19:30 hours, due to previous enmity, accused wrongfully restrained the PW1 and uttered obscene words against her. Moreover, accused criminally intimidated PW1 and beat on her head and chest repeatedly and with a Bluetooth speaker hit on her head and thereby caused injuries to her. Thus, the accused is alleged to have committed the aforementioned offences.

3. On the basis of F.I. Statement given by PW1, CW8 registered the case and after investigation filed the final report before the court.

4. On issuance of the summons accused appeared before the court and he was released on bail. He was defended by a counsel of his choice. The copies of the relevant records were furnished to him Thereafter, charge was framed for the offences u/ss.341,323,324,294(b) and 506(1) of IPC. It was read over and explained to the accused in Malayalam. Accused pleaded not guilty and claimed to be tried.

5. From the side of the prosecution, PW1 was examined and Exts.P1 was marked. As there was no incriminating evidence against the accused, questioning of accused under section 313(1)(b) of Cr.P.C was dispensed with. Accused was called upon to enter his defence. But no evidence was adduced from the defence side.

6. Heard both sides.

7 The following points arise for consideration:-

1. Whether the accused wrongfully restrained PW1 as alleged by the prosecution
2. Whether the accused voluntarily caused hurt to PW1 by beating with hands and with a Bluetooth speaker as alleged by the prosecution?
3. Whether the accused criminally intimidated PW1 as alleged by the prosecution?
4. Whether the accused uttered obscene words at PW1 as alleged by the prosecution?
5. What are the offences if any, proved to have committed by the accused?
6. If the accused is found guilty, what should be the proper sentence?

8. Point Nos. 1 to5

PW1 is the aggrieved first informant in this case. She deposed that she had given a case against her husband at Kaipamangalam police station. There was disagreements between herself and her husband. She further deposed that she had given the statement due to misunderstanding. She identified her statement given before the police as Exhibit P1. Now she has no complaint against her husband. She has settled the matter and she is not intending to proceed further.

Now she and her husband are residing together.. On consideration of the entire evidence on records, it is seen that the evidence of PW1 will not help the prosecution case to prove the guilt of the accused. Considering the circumstances that there cannot be any successful prosecution, the learned A.P.P has given up the examination of the remaining witnesses. I am also satisfied that the examination of them will not serve any purpose. There is absolutely no material before the court to connect the accused with the occurrence. In the above circumstance, the accused cannot be said to have committed the offence alleged against him. Point Nos.1 to5 are found against the prosecution.

9. Point No6.- In view of my findings in point numbers 1 to5 , this point does not arise for consideration.

- 1. In the result, the accused is found not guilty of the offences u/ss. 341,323, 324,294(b) and 506(1) of IPC and he is acquitted of the same u/s.248 (1) Cr.P.C.**
- 2. Bail bond stands cancelled and he is set at liberty.**
- 3. Property received in this case shall be confiscated on expiry of appeal period.**

Dictated to the Confidential Assistant transcribed and typed by her, corrected and pronounced by me in open court on this the 16th March 2026

Judicial First Class Magistrate,
Kodungallur

APPENDIX**Prosecution witness**

PW1	Jasmin	CW1 First informant
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Defence witness : Nil**Court witness : Nil****Prosecution Ext.s:****P1: F.I statement****Defence Ext.s: Nil****Court Ext.s : Nil****Material Objects : Nil**

JUDICIAL FIRST CLASS MAGISTRATE,
KODUNGALLUR.