

**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 25th day of March 2026/4th Chaithra1948 SE

CC No. 1025 OF 2024

State represented by the Sub Inspector of Police Valapad P.S in Cr.No. 763/2024 (By APP Kodungallur)	:	Complainant
Raman Kutty, son of Chandrasekaran, Marattu house, near SN Guru village college, Nattika. (By Adv. Smt. Seema P Joseph)	:	Accused
Offence	:	U/s. 85,115(2),118(1) of BNS 2023
Plea	:	Not guilty
Finding	:	Not guilty
Order	:	Accused is acquitted u/s.271(1) of BNSS

Description of the accused

Sl.No	Name	Father's Name	Occupation	Residence	Age
1	Ramankutty	Chandrasekharan	Nil	Nattika	38

Date of

Occurrence	Complaint	Appearance or apprehension	Release on bail	Commencement of trial	Close of trial	Sentence or order
3.2.2017	16.8.24	29.5.2025	29.5.2025	9.9.2025	25.3.2026	25.3.2026

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, Valapad Police Station in Crime No.763/2024 registered against the accused alleging commission of offences punishable U/ss. 85,115(2),118(1) of BNS 2023

2. Prosecution case in brief is as follows:- .The accused married PW1 on 03.02.2017 as per religious customs. After the marriage, the accused subjected PW1 to continuous mental harassment and also physically assaulted her by beating with his hands. On 14.08.2024 at about 7:00 PM, when PW1 asked the accused to buy a flag for their daughter to celebrate Independence Day, the accused, attacked PW1 with a piece of firewood and caused injuries on her body and on the right side of her head. Thus, the accused are alleged to have committed the aforementioned offences.

3. On the basis of F.I. Statement given by PW1, CW14 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 for the offences under sections 85,115(2),118(1) of BNS 2023 was framed, 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 subjected PW1 to continuous mental and physical harassment in order to meet any unlawful demand?
2. Whether the accused voluntarily caused hurt to PW1 as alleged by the prosecution?
3. What are the offences if any, proved to have committed by the accused?
4. If the accused is found guilty, what should be the proper sentence?

8. **Point Nos. 1 to3** PW 1 is the de facto complainant in this case. She deposed that her marriage with accused was solemnized on 3/2 /2016. After the marriage, while residing with the accused, she had given statement against the accused in the police station. The statement is marked as exhibit P1. She further deposed that the disagreements were solved in the mediation. Now she has no complaint against the accused. She is not intending to proceed further. 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 to3 are found against the prosecution.

9. Point No4.- In view of my findings in point numbers 1 to 3 , this point does not arise for consideration.

1. In the result, the accused is found not guilty of the offences under section 85,115(2),118(1) of BNS 2023 and he is acquitted of the same u/s.271(1)BNSS

2. Bail bond stands cancelled and accused is set at liberty.

Dictated to the Confidential Assistant transcribed and typed by her, corrected and pronounced by me in open court on this the 25th March 2026.

Judicial First Class Magistrate,
Kodungallur

APPENDIXProsecution witness

PW1	Reshmi	CW1 First informant
-----	--------	---------------------

Defence witness : Nil

Court witness : Nil

Prosecution Ext.s:

P1: F.I statement

P2: wound certificate

Defence Ext.s: Nil

Court Ext.s : Nil

Material Objects : Nil

JUDICIAL FIRST CLASS MAGISTRATE,
KODUNGALLUR.