

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

Present: Smt.Savitha V.S, Judicial First Class Magistrate

Dated this the 5th day of June 2026/15th day of Jyeshtha 1948 SE

C.C. No 697 OF 2021

Complainant : State of Kerala - rep. by the Inspector of
Police, Mala Police Station
in Crime No.164/2021

*(By Sri.Sreekumar P, Assistant Public
Prosecutor, Senior Grade, Chalakudy)*

Accused : Sineesh, aged 35/20, Thoppvalappil
house, Kombathkadav desom
Puthenchira Village.

By Adv.Smt.Deepa P.L

Offence : u/S.498 A of Indian Penal Code

Plea : Not guilty

Finding : Not guilty

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

DESCRIPTION OF ACCUSED

Name accused	of Age	Father's name	Calling	Residence
Sineesh	35/20	Kuttan	Nil	Kombathkadavu

DATE OF

Offence	Complaint	Apprehension/ Appearance	Release on bail	Commencement of trial	Commencement of evidence	Closure of trial	Sentence or order	Period of detention undergone during investigation, inquiry of trial for the purpose of Section 428 CrPC
13.11.2011 onwards	02.3.2021	10.5.2021		25.1.2022	4.6.2026	5.6.2026	5.6.2026	--

This case having been finally heard on 4.6.2026 and the court delivered the following:-

JUDGMENT

This case is instituted on a final report filed by the Sub Inspector of Police, Mala Police Station u/S.498 A of Indian Penal Code.

2. The case of the prosecution, in brief, is that, accused and PW1 were legally married as per customs, and thereafter from the date of marriage on 13.11.2011 till this date, the accused mentally harassed PW1 by making defamatory allegations touching her chastity . Accused also misappropriated 10 sovereigns of gold ornaments belonged to PW1 . Thus, the accused had thereby

committed the aforementioned offence.

3. The Court took cognizance of the offence and issued process against the accused. Upon his appearance, he was released on bail. The copies of the final report and other connected documents were duly furnished to him in compliance with Section 207 of the Code of Criminal Procedure. After hearing both sides, charges were framed for the offence punishable under Section 498 A of Indian Penal Code read over and explained to him in vernacular, 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. She turned hostile to the prosecution. Hence, the learned Asst.Public Prosecutor gave up the remaining witnesses and the prosecution evidence was closed. Since there is no incriminating circumstances against the accused, the questioning of the accused u/s. 313 (1)(b) of Criminal Procedure Code was dispensed with. No evidence was adduced from the side of defence.

5. Heard both sides.

6. On a careful perusal of the case records and upon consideration of the rival contentions advanced by both sides, the following point arise for consideration:-

1. Whether the accused had subjected PW1 to cruelty, both physical as well as mental, in connection with demand for more amount of dowry in order to attract an offence punishable u/S.498 A of Indian Penal Code, as alleged?

2. Sentence or Order?

7. **Point No.1:-**

PW1 is the first informant and aggrieved person. She deposed that accused is her husband . Their marriage was solemnized on 13.11.2011. She deposed that accused had misappropriated 10 sovereigns of gold ornaments received at the time of her marriage. She had given Ext.P1 F.I.Statement to the police alleging ill treatment of her husband. She stated that she had given Ext.P1 statement due to misunderstanding. Though learned Assistant Public Prosecutor examined PW1 under section 154 of Indian Evidence Act, she deposed that she sustained injury due to a fall and she is now residing with her husband. She further deposed that she is not interested to proceed with the case.

7. In the above mentioned circumstances, the examination of the remaining witnesses will be a futile exercise and it was dispensed by the prosecution. The prosecution had not adduced any evidence to bring home the guilt of the accused and therefore, points are answered accordingly against the prosecution.

8. **Point No.2:-** In the result, the accused is found not guilty of the offence punishable u/S. 498 A of Indian Penal Code and accordingly, he is acquitted of the said offence u/s.248(1) of Criminal Procedure Code. His bail bond stands discharged and he 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 5th day of June , 2026)

Sd/-
Judicial First Class
Magistrate, Chalakudy.

APPENDIX

Prosecution witness

PW1	Hima	First informant and aggrieved
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Defence witness :

Nil		
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Court witness :

Nil		
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Prosecution Exhibits:

1	Ext.P1/PW1	F.I.Statement dated 02.03.2021
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Exhibits for defence:-

Nil		
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Material objects:-

Nil		
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Sd/-

Judicial First Class Magistrate,
Chalakydy.

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Judicial First Class Magistrate,
Chalakydy.