

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

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

Dated this the 22nd day of April 2026/2nd Vaisakha 1948 SE

C.C. No.1066 OF 2025

Complainant : State of Kerala - rep. by Sub Inspector of
Police, Aloor Police Station
in Crime No.538/2025

(By A.P.P. Senior Grade, Chalakudy)

Accused : Riju, aged 26, S/o Lazar,
Tharayil house, Velayanad Ettangady colony
Kottanellur Village

Offence : By Adv.Sri.Roger Vargheese
u/S 331(3) and 305(a) of Bharatiya Nyaya
Sanhita 2023

Plea : Guilty

Finding : Guilty.

Sentence or order : The accused is convicted and sentenced to
undergo Simple Imprisonment for three
years for the offence u/S. 331(3) of BNS
and further sentenced to undergo Simple
Imprisonment for one year and to pay fine
of Rs.1000/- under section 305(a) of
BNS.In default of payment of fine accused
shall under go Simple Imprisonment for 2
days . He is entitled to set off from
18.7.2025 till this date for the period he
underwent in Judicial custody as under trial
prisoner against the substantive sentences.

JUDGMENT

This case is instituted on a final report filed by the Sub Inspector of Police, Aloor Police Station u/S. 331(3) and 305(a) of Bharatiya Nyaya Sanhita 2023.

2. The prosecution case in brief is that, on 02.7.2025 in between 12.37 hours and 13.00 hours, accused criminally trespassed into the house of CW1 and committed theft of nutmeg from the house. Thus, the accused had committed the aforementioned offences.

3. Upon filing the final report, the court took cognizance of the offence punishable u/S. 331(3) and 305(a) of Bharatiya Nyaya Sanhita 2023. The accused is in judicial custody from the date of his arrest onwards. The court addressed the Taluk Legal Services Authority and appointed a free legal aid counsel for the accused. Bail was granted to him on 21.11.2025. But he has not executed the bail. Today accused is produced before this court on production warrant for framing charge. The copies of the final report and other relevant prosecution records were furnished to him. Legal aid counsel was provided to him. The charge under section 331(3) and 305(a) of Bharatiya Nyaya Sanhita 2023 was framed, read over and explained to the accused, to which he pleaded guilty. His plea was accepted as it was made voluntarily and out of his free will.

4. In the result, the accused is found guilty of the offences punishable u/S. 331(3) and 305(a) of Bharatiya Nyaya Sanhita 2023 and accordingly he is convicted of the said offence u/S. 253 of BNSS.

Sd/-

Judicial First Class Magistrate,
Chalaky.

5. It is not a fit case to invoke the benevolent provisions of the Probation of offenders Act, 1958. The accused heard on the question of sentence. He pleaded for leniency and set off. The accused remains in judicial custody from 18.7.2025. This court is of the view that a sentence of imprisonment for three years for the offence under section 331(3) of BNS and Simple Imprisonment for 1 year and fine of Rs.1000/- would meet the ends of justice.

The accused is convicted and sentenced to undergo Simple Imprisonment for three years for the offence u/S. 331(3) of BNS and further sentenced to undergo Simple Imprisonment for one year and to pay fine of Rs.1000/- under section 305(a) of BNS. In default of payment of fine accused shall undergo Simple Imprisonment for two days. He is entitled to set off from 18.7.2025 till this date for the period he underwent in Judicial custody as under trial prisoner against the substantive sentences.

(Dictated to the Confidential Assistant., transcribed and typed by her, corrected and pronounced by me in open Court on this the 22nd day of April 2026).

Sd/-
**Judicial First Class Magistrate,
Chalaky.**

**//true copy// Judicial First Class Magistrate,
Chalaky.**