

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE,
WADAKKANCHERY**

Present: Naseeb. A. Abdul Razak
Judicial First Class Magistrate, Wadakkanchery

Dated this, the 18th Day of March, 2026

C.C. 228/2020

Complainant : State represented by S.I. of Police,
Cheruthuruthy Police Station, Cr. 09/2020.
(Repd by A.P.P. Wadakkanchery)

Accused : A1. Shanavas, aged 25 years, S/o Ibrahim,
Poovarathodiyil Veedu, Kattavattoor,
Desamangalam.
A2. Saidalavi @ Ali, aged 38/20, S/o
Muhammed, Pothenparambil House,
Kattavattoor Desom, Desamangalam.
(Repd by Adv. P.C. Eldon)

Offence : U/s. 447,427,294(b) & 506(i) r/w 34 IPC.

Plea : Not Guilty

Finding : Not Guilty

Sentence or Order : Accused are found not guilty of the offence
punishable U/s. 447,427,294(b) & 506(i) r/w
34 IPC and hence acquitted U/s.255(1) CrPC.

Description of the Accused:

Name of Police station and the Crime No. of the offence.	Name and Rank of accused	Father's Name	Occupation	Residence	Age
Cheruthuruthy. P.S in crime No. 09/2020	A1. Shanavas	Ibrahim	-	Kattavattoor	25
	A2. Saidalavi @ Ali	Muhammed	-	Kattavattoor	38

Date of									Period of detention undergone during investigation, inquiry or trial for the purpose of section 428 of Cr.P.C.
Occurrence	Complaint	Apprehension/ Appearance	Re-release on bail	Commencement of trial	Commencement of evidence	Close of trial	Sentence or order	Commitment	
10.01.20	17.02.20	11.01.20	11.01.20	05.12.23	16.03.26	16.03.26	18.03.26		

This case coming on for hearing to this day's proceedings, the Court delivered the following

J U D G M E N T

Offences alleged against the accused is those punishable u/s. 447,427,294(b) & 506(i) r/w 34 IPC.

1]. Prosecution is initiated by registration of Crime No: 09/2020 by SHO Cheruthuruthy.P.S. for offences punishable u/s. 447,427,294(b) & 506(i) r/w 34 IPC. Charge sheet filed with same offences. Cognizance taken by Court of offences punishable under sections 447,427,294(b) & 506(i) r/w 34 IPC.

2]. Prosecution case in brief is as follows:- Due to previous enmity, on 10.01.20 at 23.45 hours, the accused persons criminally trespassed into the courtyard of the house of PW1 and uttered obscene words against him, threatened him with fear of death. The accused further destroyed the switch board of the sit out, window glass, the glasses of the car and thereby he suffered a loss to the tune of Rs. 4600/- and thereby committing offenses punishable under Sections 447, 341, 323, 294(b) & 506(i) IPC.

3]. Accused entered appearance. They are represented by a counsel. Copies of all relevant prosecution records were given to them. After brief hearing particulars

of the offences punishable u/s 447, 341, 323, 294(b) & 506(i) IPC was read over and explained to the accused. They pleaded not guilty. Accused stood for trial.

4]. Prosecution examined PW1 and marked Exbt. P1 in evidence. On completion of prosecution evidence, no incriminating circumstance revealed against accused. Hence questioning under section 313[1][b] CrPC is dispensed with. No defence evidence adduced.

5]. Heard both sides.

6]. The following points that arose for consideration are:-

1. Did the accused commit mischief as alleged by the prosecution?
2. Did the accused commit criminal trespass as alleged by the prosecution?
3. Did the accused uttered obscene words as alleged by the prosecution?
4. Did the accused persons criminally intimidate as alleged by the prosecution?
5. Sentence or Order ?

Points No.1 to 4

7]. Complainant is examined as PW1. According to him the alleged incident had happened. He gave first information statement to police in respect of the alleged incident. The First information statement is marked as Exbt.P1. He deposed before the court that he could not identify the actual assailants. The matter is settled between the parties. Thus PW1 turned hostile to the prosecution case. The learned APP has given ample opportunities to cross examine the witness. But he could not elicit anything in support of prosecution.

8]. The evidence of PW1 did not bring out any materials to prove the guilt of accused. As material witnesses did not support the prosecution case, learned APP was right in giving up the examination of other witnesses. From the available evidence there is nothing supporting the prosecution case as such points No. 1 to 4 are found against prosecution for lack of evidence.

POINT No. 5

In the light of discussion on points No. 1 to 4, accused cannot be found guilty of alleged offences. Hence no need of inflicting any punishment on accused.

In the result, the accused are found not guilty of offences punishable u/s. 447, 341, 323, 294(b) & 506(i) IPC. They are acquitted under section 255[1] CrPC. Their bail bond stands canceled and they are set at liberty.

No property is seen produced before this court.

[Dictated to the Confidential Assistant, transcribed by her, corrected by me and pronounced in open Court this, the 18th Day of March, 2026.]

Sd/-
Judicial First Class Magistrate,
Wadakkanchery.

APPENDIX**Witness examined for prosecution:-**

P.W.1/C.W1	Nishad	Defacto complainant
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Witness examined for defence :

Nil

Exhibits marked for prosecution:

1	Exbt P1/P.W1	FIS dated 16.03.26.
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Exhibits marked for defence:

Nil

Material objects marked:

Nil

Sd/-
Judicial First Class Magistrate,
Wadakkanchery.

Judicial First Class Magistrate,
Wadakkanchery.

