

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

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

**Dated this, the 24<sup>th</sup> Day of March, 2026**

**CC 584/2019**

Complainant : State represented by S.I. of Police,  
Pazhayannur Police Station, Cr. 172/2019.

(Repd. By *A.P.P, Wadakkanchery*)

Accused : A1. Narayanankutty, aged 45 years, S/o Vasu,  
Nambrath House, Kodathur,  
Pazhayannur.

A2. Subramanian @ Appu, aged 55 years,  
S/o Velayudhan, Nambrath House,  
Kodathur, Pazhayannur.

(A2 is no more.)

A3. Jibu, aged 40 years, S/o Viswanathan,  
Ekkattil House, Kodathur, Pazhayannur.

A4. Santhosh, aged 35 years, S/o  
Nappankutty, Maniyankath House,  
Kodathur, Pazhayannur.

A5. Rajakumaran, aged 55 years, S/o Raman,  
Chuzhalikkattil House, Kodathur,  
Pazhayannur.

(A5 is no more.)

A6. Ranjith, aged 35 years, S/o Rajakumaran,  
Chuzhalikkattil House, Kodathur,  
Pazhayannur.

(Repd By Adv. Ranjith.C.Thanikkal)

Offence : U/s. 143,147,447,427 & 294(b) r/w 149 IPC.

Plea : Not Guilty

Finding

: Not Guilty

Sentence or Order

: A1, A3, A4, A6 are found not guilty of the offence punishable U/s. 143,147,447,427 & 294(b) r/w 149 IPC and hence acquitted U/s. 255(1) Cr.P.C. A2 and A5 are no more. Charge against A2 and A5 are abated.

**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
Pazhayannur.P.S in crime No. 172/2019	A1- Narayanankutty	Vasu	-	Kodathur	45
	A2- Subramanian @ Appu	Velayudhan	-	Kodathur	55
	A3- Jibu	Viswanathan	-	Kodathur	40
	A4 - Santhosh	Nappankutty	-	Kodathur	35
	A5- Rajakumaran	Raman	-	Kodathur	55
	A6- Ranjith	Rajakumaran	-	Kodathur	35

**Dates on which**

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	
05.04.19	06.06.19	Nil	Nil	13.12.22	16.10.24	19.03.26	24.03.26		

This case coming up for final hearing before me on 19.03.2026 in the presence of Sri. Ranjith.C.Thanikkal, counsel for the accused and Assistant Public Prosecutor, Wadakkanchery for the State and the court has today passed the following:-

## **J U D G M E N T**

Offences alleged against the accused are those punishable u/s. 143,147,447,427 & 294(b) r/w 149 IPC.

1]. Prosecution is initiated by registration of Crime No: 172/2019 by SHO Pazhayannur P.S. for offences punishable u/s 143,147,447,427 & 294(b) r/w 149 IPC. Charge sheet filed with same offences. Cognizance taken by Court of offences punishable under sections 143,147,447,427 & 294(b) r/w 149 IPC.

2]. Prosecution case in brief is as follows:- On 05.04.19 at 14.00 hours at Kodathur the accused formed them selves in to an unlawful assembly and in prosecution of the common object of the assembly criminally trespassed in to the property of CW1 and the accused destroyed the iron fence and seven concrete stones on the property of CW1 and he suffered a loss to the tune of Rs. 18000/-. When he questioned the same, uttered obscene words against him. Thus the accused is thereby alleged to have committed offences punishable u/s. 143,147,447,427 & 294(b) r/w 149 IPC.

3]. A2 and A5 are no more. A1, A3, A4, A6 entered appearance. They are represented by a counsel. Copies of all relevant prosecution records were given to them. After brief hearing particulars of the offence u/s. 143,147,447,427 & 294(b) r/w 149 IPC read over and explained to accused. They pleaded not guilty. Accused stood for trial.

4]. Prosecution examined PW1 to PW4 and marked Exbt P1 and P2 in evidence. On completion of prosecution evidence, no incriminating circumstance revealed against accused. Hence questioning under section 313[1][b] CrPC was dispensed with. No defence evidence adduced.

5]. Heard both sides.

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

1. Did the accused persons join an unlawful assembly as alleged by the prosecution ?
2. Did the accused commit rioting as alleged by the prosecution?
3. Did the accused criminally trespassed into the courtyard of the house of CW1 as alleged by the prosecution?
4. Did they commit mischief in the property of CW1 as alleged by the prosecution?
5. Did the accused uttered obscene words against CW1 as alleged by the prosecution?
6. Sentence or Order?

**Points No.1 to 5**

7]. These points are discussed together since the evidence to be discussed is interlinked. CW1 is no more and hence could not be examined. CW2 is examined as PW1 and he is the eye witness. He turned hostile to the prosecution case. PW2 is Village officer who issued ownership certificate. PW3 and PW4 are the witnesses in this case. Exts. P1 and P2 are the ownership certificate and scene mahazar respectively.

8]. PW1 the sole eye witness available, has not supported the prosecution case. There is no linking evidence to connect the accused with the incident alleged. Therefore, the inevitable conclusion that could be arrived at is that the prosecution has failed to prove the allegations against the accused. Hence, points are answered against the prosecution.

9]. **POINT No. 6:-** In the light of discussion on points No.1 to 5, accused cannot be found guilty of alleged offences. Hence, no need of inflicting any punishment on accused.

**In the result**, A1, A3, A4, A6 are found not guilty of offences punishable u/s. 143,147,447,427 & 294(b) r/w 149 IPC. They are acquitted under section 255[1] Cr.P.C. Their bail bond stands canceled and they are set at liberty. A2 and A5 are no more. Charge against A2 and A5 are abated.

Property produced before the Court shall be destroyed after appeal period.

[Dictated to the Confidential Assistant, transcribed by her, corrected by me and pronounced in open Court this, the 24<sup>th</sup> Day of March, 2026.]

Sd/-  
Judicial First Class Magistrate,  
Wadakkanchery.

## **APPENDIX**

### **Witness examined for prosecution:-**

P.W.1/C.W2	Prakash	Eye witness
P.W.2/C.W8	T. Sujatha	Official witness
P.W.3/C.W5	Unnikrishnan	Other witness
P.W.4/C.W6	Santhosh	Other witness

### **Witness examined for defence :**

Nil

### **Exhibits marked for prosecution**

1	Exbt. P.1/P.W.2	Ownership certificate dated 27.11.24
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2	Exbt. P.2/P.W.4	Scene mahazar dated 27.11.24
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**Exhibits marked for defence:**

Nil

**Material objects marked:**

Nil

Sd/-  
Judicial First Class Magistrate,  
Wadakkanchery.

Judicial First Class Magistrate,  
Wadakkanchery.

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**Judgment in,  
CC.No. 584/2019,  
Dated: 24.03.2026**