

IN THE COURT OF JUDICIAL FIRST CLASS MAGISTRATE, KUNNAMKULAM

Present:- Sri. Jayanthan L., Judicial I Class Magistrate.

Saturday, the 21st day of March, 2026.

C.C. 1486 / 2015

Complainant : State of Kerala represented by the
Sub Inspector of Police, Vadakkekkad
Police Station in crime 264/2015.
*(By Sri. P.Krishnakumar, Assistant Public
Prosecutor, Senior Grade, Kunnamkulam) .*

Accused : Ismail, 27/2015 years, S/o.Haneefa,
Raymarakkar House, Engandiyoor Village,
Chetuva desom, Thrissur District.
By Adv.Sri. V.S.Mohandas, Chavakkad.

Offence : U/s. 341, 323, 326 and 294(b) of IPC

Plea : Not Guilty.

Finding : Not Guilty

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

Description of accused

No	Name	Father's name	Occupation	Residence	Age
1	Ismail	Haneefa	...	Engandiyoor	27/2015

Date of :

Offence	Complaint	Appre- hension	Release on bail	Commence- ment of trial	Closure of trial	Sentence or order
17.02.2015	7.3.2015	20.04.2015		6.3.2019	21.3.26	21.3.2026

This case having been finally heard on 21.3.2026 and the Court on the same and delivered the following:-

JUDGMENT

In this case, final report has been filed by the Sub Inspector of Police, Vadakkekka Police Station in crime 264/2015 for the offences punishable under sections 341, 323, 326 and 294(b) of IPC.

2. The prosecution case in brief is that, the accused on 17.2.2025 at 1.15 pm at Kankanappetty the accused beat CW1 with pick-axe which resulted to fracture at his skull. The accused also kicked CW1 and uttered obscene words. Thus the accused is alleged to have committed the above said offences.

3. On issuance of summons, the accused appeared before the Court and copies of all relevant prosecution records were furnished to him. After hearing both sides, charge was framed, read over and explained to him, to which he pleaded not guilty and claimed.

4. From the side of prosecution four witnesses were examined as PW1 to PW3 and Exhibit P1 was marked. Since no incriminating evidence, examination of accused u/s 313(1) (b) of Cr.P.C was dispensed with. No evidence was adduced from the side of the accused.

5. Heard both sides.

6. Now the points that arise for determination are :-

1. Whether the accused on 17.2.2025 at 1.15 pm at Kankanappetty committed the offences as alleged by the prosecution ?
2. Whether the accused is guilty of any of the offences alleged

against them? If found guilty, what should be the order as to sentence?

7. **Point No.1** :- Prosecution witness 1 deposed before the Court that on 17.2.2025 at 1.15 pm at Kankanappetty he sustained injuries at his head and he gave complaint before Vadakkekka Police and PW1 identified the same before the Court as Exhibit P1. PW1 further stated that the accused in the dock had not assaulted him.

8. Prosecution witnesses 2 to 4, the occurrence witnesses in this case deposed that they had not witnessed the alleged incident.

9. From the evidence of above prosecution witness there are no incriminating circumstances against the accused. The defacto complainant who is the victim in this case deposed that the accused in this case had not assaulted him. So, the Learned Assistant Public Prosecutor rightly gave up the remaining witnesses. Accordingly, it is safe to conclude that the prosecution failed to prove the case against the accused beyond reasonable doubt. These points are found against the prosecution.

10. **Point No.2** :- In view of my findings on point No.1 , the accused is found not guilty of the offences alleged against him.

In the result, the accused is acquitted u/s.248(1) of Cr.P.C for the above mentioned offences. He is set at liberty and his bail bond stands cancelled. Property

produced in this case is a pick-axe vide PI 137/2015 and the same shall be confiscated to the State as per rules.

(Dictated to the Confidential Assistant, transcribed by her, corrected by me and pronounced in open court on this the 21st day of March, 2026)

Judicial First Class Magistrate - Kunnankulam.

APPENDIX

Witnesses examined for the prosecution:-

PW1	Vineesh / CW1	Defacto Complainant / Victim
PW2	Prahladan/CW2	Prosecution witness / Occurrence witness
PW3	Riyas /CW3	Prosecution witness / Occurrence witness

Exhibits marked for the prosecution:-

P1 /PW1	First Information Report in crime No.264/2015 of Vadakkekkaad Police Station dated 7.3.2015
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Material Objects marked:- Nil.

Witness examined for the defence :- Nil.

Exhibits marked for the defence :- Nil.

Judicial First Class Magistrate – Kunnankulam.