

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE FOR THE TRIAL OF
FOREST OFFENCES, NEDUMANGAD

Present :- Haritha. G. H, Judicial I Class Magistrate

for the trial of Forest Offences, Nedumangad

Monday, the 16th day of March, 2026 / 25th Phalguna, 1947

CC. 722/2015

Complainant	:	State represented by the Sub Inspector of Police, Aruvikkara Police station in Crime No. 24/2015. (By Sri. Navajoth, APP Grade II, Nedumangad)
Accused	:	A1. Alathoor Ani, S/o Krishnan Assari, Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village. A2. Suresh @ Unni, S/o Venugopal, Thottarikathu Puthen veedu, Panaycode, Kachani Ward, Aruvikkara village. A3. Murukan, S/o Ayyppan Assari, Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village. A4. Kumaran, S/o Ayyappan Assari, Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village. (BY Advocate Sri. Deepu Krishnan. R. S)
Charge	:	Offences punishable u/ss. 323 and 324 r/w 34 IPC.
Plea	:	Not guilty
Finding	:	Not guilty
Sentence/Order	:	Accused are acquitted u/s. 248 (1) Cr.P.C.

Description of accused

Sl.No.	Name of the Police Station and the Crime No. of the offence	Name	Father's name	Occupation	Residence	Age
1	2	3	4	5	6	7
A1	Aruvikkara Cr. 24/2015	Alathoor Ani	Krishnan Assari		Sindhu Bhavan,	38
A2		Suresh @ Unni	Venugopal		Kochukarikkakam,	39
A3		Murukan	Ayyppan Assari		Kachani Ward,	29
A4		Kumaran	Ayyppan Assari		Aruvikkara village. Thottarikathu Puthen veedu, Panaycode,	32

					Kachani Ward, Aruvikkara village. Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village. Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village.
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DATE OF

occurrence	Report of complaint	Apprehension of accused	Released on bail	Commitment	Commencement of trial
8	9	10	11	12	13
11-01-15	05-06-15	16-11-21	16-11-21		10-07-14
Commencement of evidence	Close of trial	Sentence or order	Service of copy of judgment or finding on accused	Expln. for delay and remarks	Period of detention
13(A)	14	15	16	17	18
06-05-25	16-03-26	16-03-26	..	No delay	...

This case having been finally heard on today the court on the same day delivered the following :-

JUDGMENT

This case is arising from final report filed by Sub Inspector of police Aruvikkara police station in crime No. 24/2015 for the offences punishable u/ss. 323 and 324 r/w 34 IPC.

2. Prosecution case is that due to prior enmity with CW1, the accused on 11-01-2015 at about 08.00 hours voluntarily caused hurt to CW1 by beating on his face with a stone as a result he sustained injury on his right eye, hit and stamped on his body and thereby the accused committed the offences alleged against them.

3. The case was originally taken on file as CC 826/2015 before Judicial I Class Magistrate Court II, Nedumangad. Thereafter the case was transferred to this court as per the order No. F 10583/2024 dated 04-12-2025 of Hon'ble Chief Judicial Magistrate, Thiruvananthapuram and case was taken on file in this court as CC No. 722/2015. Accused persons entered appearance before the court and he was released on bail. Copies of records served to them. After perusing prosecution records and hearing charge was framed for offences u/ss. 323 and 324 r/w 34 IPC and read over and explained to them. They pleaded not guilty and claimed to be tried. In order to prove the prosecution case CW1 to CW8 were cited as witnesses and out of them PW1 to PW3 were examined. They turned hostile to the prosecution case. Learned APP had given up other witnesses as the examination of other witnesses will be a futile exercise. Examination of the accused person u/s 313 (1) (b) Cr.P.C was dispensed with, as no incriminating circumstances were brought out against him. No defence evidence was adduced.

4. Heard both the sides.

5. Following points arise for consideration:-

1. Whether the accused on 11-01-2015 at about 08.00 hours voluntarily caused hurt to PW1 by beating him on his body and thereby committed offence u/s. 323 IPC?
2. Whether the accused on the same day and same time voluntarily caused hurt to PW1 by beating on his face with a stone , which is a dangerous weapon and thereby committed offence U/S. 324 IPC?
3. Sentence or Order?

6. **Point Nos. 1 and 2:-** Prosecution allegation is that due to prior enmity with PW1, the accused on 11-01-2015 at about 08.00 hours voluntarily caused hurt to PW1 by beating on his face with a stone as a result he sustained injury on his right eye, hit and stamped on his body.

7. CW1 is examined as PW1. He deposed that he had given statement and he identified his signature in the statement and it is marked as Ext. P1. He stated that he did not remember the date of incident and along with CW2. He stated that the accused were not there and their names were not given. He conceded that the matter is settled and he has no complaint against the accused persons.

8. CW2 is examined as PW2. He deposed that he knows CW1 and the accused persons never assaulted him in the incident. He stated that he did not give statement.

9. CW4 is examined as PW3. He deposed that he did not know CW1 and CW2. He stated that he don't live there and he did not see the incident and he did not give statement before the police.

10. PW1 to PW3 turned hostile to the prosecution denying the allegation against the accused person. Being so, there is no evidence to connect the accused person to the alleged offences. The points are found against the prosecution accordingly.

11. Point No. 3:- In view of the finding above the accused persons are found not guilty of the offences u/ss. 323 and 324 r/w 34 IPC.

In the result, the accused persons are found not guilty of offences punishable u/ss. 323 and 324 r/w 34 IPC and accordingly they are acquitted of the said offences u/s. 248 (1) Cr.P.C. Their bail bonds stand cancelled and they are set at liberty. MO shall be destroyed after appeal period as per rules.

Dictated to the Confidential Asst., transcribed and typed by him, corrected and pronounced by me, in open court, on this the 16th day of March, 2026.

sd/-
Judicial I Class Magistrate
for the trial of Forest Offences,
Nedumangad.

APPENDIX

Witness for the Prosecution :

PW1 : Ani

PW2 : Vimal Kumar

PW3 : Shaji

Exhibits for the Prosecution :

P1 : FIS proved by PW1 dated 12-01-2015

Witnesses for Defence:- Nil

sd/-

Judicial I Class Magistrate
for the trial of Forest Offences,
Nedumangad.

(True Copy)

Judicial I Class Magistrate
for the trial of Forest Offences,
Nedumangad.

CALENDAR AND JUDGMENT

District of Thiruvananthapuram Calendar of cases tried by the Judicial I Class Magistrate (Forest Offences), Nedumangad.

DATE OF

occurrence	Report of complaint	Apprehension of accused	Released on bail	Commitment	Commencement of trial
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06-05-25	16-03-26	16-03-26	..	No delay	...

Judgment in Calendar Case No.CC. 722/2015 on the file of the Judicial I Class Magistrate (Forest Offences), Nedumangad

Complainant:-State represented by the Sub Inspector Aruvikkara Police station in Crime No. 24/2015.

(BY APP Grade I, Nedumangad)

Description of accused

Sl.No.	Name of the Police Station and the Crime No. of the offence	Name	Father's name	Occupation	Residence	Age
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					Thottarikathu Puthen veedu, Panaycode, Kachani Ward, Aruvikkara village. Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village. Sindhu Bhavan, Kochukarikkakam, Kachani Ward, Aruvikkara village.
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Offence : Punishable U/ss. 323 and 324 r/w 34 IPC.

Finding : Accused are not guilty

Sentence : Accused are acquitted U/s. 248 (1) Cr.P.C.

Judicial I Class Magistrate (Forest Offences),
Nedumangad.

D O C K E T

Date of Receipt.....

Remarks of the
Magistrate.....

District

From
Judicial I Class Magistrate
(Forest Offences)
Nedumangad

Date of Despatch.....

Date of Receipt.....

Reply of theMagistrate

To
The Hon'ble Addl. Chief Judicial
Magistrate,
Thiruvananthapuram

Date of Despatch.....

Calendar Case No. 722/2015

Date of receipt.....

Remarks of Sub Divisional Magistrate

Date of Judgment 16-03-2026
Date of Despatch. 21-03-2026
Date of Calendar. 21-03-2026