

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. 724/2015

Complainant	:	State represented by the Sub Inspector of Police, Aruvikkara Police station in Crime No. 26/2015. (By Sri. Navajoth, APP Grade II)
Accused	:	A1. Vimal Kumar, S/o Mohanan, Vineetha Bhavan, Kochukarikkakam, Kalathukal, Iumba Muri, Aruvikkara village. A2. Manu, S/o Manoharan, Manu Bhavan, Karikkakam, Kalathukal, Iumba Muri, Aruvikkara Village. A3. Manoj @ Chinju, S/o Monoharan, Manu Bhavan, Kochu Karikkakam, Kalathukal, Iumba Muri, Aruvikkara Village. (By Advocate Sri. N. Aravindakshan Nair)
Charge	:	Offences punishable u/ss. 294 (b), 341, 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. 26/2015	Vimal Kumar	Mohanan		Vineetha Bhavan,	25
A2		Manu	Manoharan		Kochukarikkakam,	29
A3		Manoj @ Chinju	Monoharan		Kalathukal, Iumba Muri, Aruvikkara village. Manu Bhavan, Karikkakam, Kalathukal,	26

					Irumba Muri, Aruvikkara Village Manu Bhavan, Kochu Karikkakam, Kalathukal, Irumba Muri, 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	24-01-20	24-01-20		26-04-25
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 originated from final report filed by Sub Inspector of police Aruvikkara Police station in Crime No. 26/2025 for the offences punishable u/ss. 294 (b), 341, 323 and 324 r/w 34 IPC.

2. Prosecution case is that accused persons in furtherance of their common intention to attack CW1 and CW2 due to their previous enmity on 11-01-2015 at about 22.30 hours at Kachani Market junction by beating CW1 on his head with an iron pipe at that time CW1 ward off the beat as a result he sustained injuries on his hand. Thereafter the 2nd accused beat CW1 on his back and 3rd accused stamped on his

right chest. Thereby the accused committed offences alleged against them.

3. The case was originally taken on file as CC 724/2015 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. 724/2015. Accused persons entered appearance. They were enlarged on bail. Copies of all records served to them. Charge framed offences u/ss. 294 (b), 341, 323 and 324 r/w 34 IPC. In order to prove the prosecution case CW1 to CW10 were cited as witnesses and out of them PW1 to PW3 were examined. Exts. P1 was marked. The injured turned hostile to prosecution and filed compromise petition, as the matter was settled between parties. As the examination of other witnesses will not improve the prosecution case learned APP given up other witnesses and evidence closed. Examination of the accused U/S 313 (1) (b) Cr.P.C was dispensed with, as no incriminating circumstances brought out against them. No defence evidence adduced.

4. Heard both sides.

5. Following points arise for consideration:-

1. Whether the accused persons on 11-01-2015 at about 22.30 hours at Kachani junction wrongfully restrained PW1 with the intention to cause hurt to them and thereby committed offence u/s. 341 IPC?
2. Whether the accused persons on the same day, same place and same time uttered obscene words towards PW1 at public place causing annoyance to others and thereby committed offence u/s. 294 (b) IPC?
3. Whether the accused persons on the same day, same time and same place voluntarily caused hurt to PW1 and thereby committed offence u/s. 323 IPC?
4. Whether the accused persons on the same day, same time and same place voluntarily caused hurt to PW1 by beating with an iron pipe, which is a dangerous weapon and thereby committed offence u/s. 324 IPC?

5. Whether the accused persons acted in furtherance of their common intention and liable u/s. 34 IPC?

6. Sentence or Order to be passed?

6. **Point Nos. 1 to 5 :-** Prosecution allegation is that accused persons in furtherance of their common intention to attack PW1 and PW2 due to their previous enmity on 11-01-2015 at about 22.30 hours at Kachani Market junction by beating PW1 on his head with an iron pipe at that time PW1 warded off the beat as a result he sustained injuries on his hand. Thereafter the 2nd accused beat PW1 on his back and 3rd accused stamped on his right chest.

7. CW1 is examined as PW1. He deposed that he is the defacto complainant in this case. He stated that CW2 is his friend. FIS is marked as Ext. P1. He denied the identity of accused persons and stated that the accused persons never attacked him. He conceded that the matter is settled and he has no complaint against the accused persons.

8. CW3 is examined as PW2. He deposed that he knows the witnesses and accused persons. He stated that he did not see the incident and he did not give statement before the police.

9. CW2 is examined as PW3. He deposed that he does not know CW1 and he did not remember the date of incident. He stated that the incident happened at night near the temple. He stated that he had sustained injury in the incident and he does not know who attacked him. He conceded that the matter is settled and he had no complaint against the accused persons.

10. Here the defacto complainant denied the allegation against the accused persons and denied the identity of the persons who attacked PW1 and PW3. Being so, there is no evidence to connect the accused person to the alleged offences, hence points are found against the prosecution accordingly.

11. Point No. 6:- In view of the finding above the accused persons are found not guilty of the offences u/ss. 294 (b), 341, 323 and 324 r/w 34 IPC.

In the result, the accused persons are found not guilty of offences punishable u/ss. 294 (b), 341, 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.

Dictated to the Confidential Asst., transcribed and typed by her, 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 : Anil Kumar

PW2 : Gireeshan

PW3 : Akshay

Exhibits for the Prosecution :-

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

Witnesses for Defence:- Nil

Exts. 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
8	9	10	11	12	13
11-01-15	05-06-15	24-01-20	24-01-20		26-04-25
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13(A)	14	15	16	17	18
06-05-25	16-03-26	16-03-26	..	No delay	...

Judgment in Calendar Case No.CC. 724/2015 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. 26/2015.

(BY APP Grade II, 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
1	2	3	4	5	6	7
A1 A2 A3	Aruvikkara Cr. 26/2015	Vimal Kumar Manu Manoj Chinju	Mohanan Manoharan Monoharan		Vineetha Bhavan, Kochukarikkakam, Kalathukal, Iumba Muri, Aruvikkara	25 29 26

					village. Manu Bhavan, Karikkakam, Kalathukal, Irumba Muri, Aruvikkara Village Manu Bhavan, Kochu Karikkakam, Kalathukal, Irumba Muri, Aruvikkara Village.	
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Offence : Punishable U/ss. 294 (b), 341, 323 and 324 r/w 34 IPC.

Finding : Accused is not guilty

Sentence : Accused is 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

Hon'ble Addl. Chief Judicial Magistrate,
Thiruvananthapuram

Date of Despatch.....

Calendar Case No. 724/2015

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