

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS AT
THUNGATHURTHY.**

(Dated this the 14th day of August 2025)

Present: **Sri. Gouse Pasha Md,**
Judicial Magistrate First Class,
Thungathurthy

C.C. No. 416 of 2022

Between:

The State through S.H.O. PS Noothankal

..... Prosecution.

AND

Lavudya Chanti S/o. Balu, Age: 30 Years, Occ: Private Job, R/o. Teekya Thanda of Noothankal Mandal of Suryapet District.

.... Accused.

This case came up before me for final hearing on in the presence of the learned APP for State and of **Sri. B. Prathap**, learned counsel for accused, upon hearing both sides and upon perusing the material available on record and having stood over for consideration till this day, this court delivered the following:-

: J U D G M E N T :

1. The Sub-Inspector of police, P.S. Noothankal has filed charge sheet against accused for the offence punishable under Section 354, 354(A) IPC., in Crime No.138/2022.

2. The brief facts of the case are in nutshell:

The Sub Inspector of Noothankal Police station filed charge sheet in Crime No.138/2022 against accused for the offence punishable under sections 354, 354(A) Indian Penal Code (hereinafter referred as IPC).

03. The brief facts of the case are in nutshell: -

On 15.10.2022 at 17:00 hours the complaint Lavudya Renuka W/o Kalyan came to Noothankal Police Station and lodged a telugu written petition in which she stated that, one year ago she got love marriage with one her villager Lavudya Kalyan S/o Balu, they lead their conjugal life at Hyderabad, on 11.10.2022 she came to her in-laws house Kallepally village to visit Kallepally Maisamma temple, on knowing this her elder brother-in-law Lavudya Balu S/o Chanti came from Hyderabad, on 15.10.2022 morning at 10:00 hours while they are discussing to celebrate of their festival with her husband and in-laws. meanwhile her elder brother-in-law came to her and abused her as like NUVVU EVATHIIVE, MAA INTIKI ENDUKU VACHINAVE, LANJADANA NEEKU DANDAGA KATTISTHAMU, NEE INTIKI NUVVU VELLIPOVE, NUVVU THIRUGUBOTHUVE, MEMU NEEKEMAINA PENDLI CHESINAMA, and he harassed her to fulfil his sexual desire, and he insulted her by caught her hair with hands, and he threatened her to pay barrows an amount Rs. 5,00,000/-otherwise go from the house and he caught her hand and necked from the house, he beat her husband with hands and legs. Who is try to rescue her from his clutches and threatened to don't enter in to the house. Hence, she requested to legal action against the accused.

4. Basing on the above complaint of the LW-10/SI registered a case in Cr. No. 138/2022, U/Sec 354, 354(A) IPC and took up the investigation.

5. During the course of investigation, the Lw-10 visited the scene of offence situated at in Sri. Lavudiya Balu house, Teekya thanda village of Noothankal Mandal, Suryapet District, observed the scene of offence, secured the

presence of panchas Lws-7 to 8, drafted CDF by observing the scene of offence. Caused enquiries about the occurrence of offence, secured the presence of witnesses, examined and recorded the statements of Lws-2 to 6. On 15.10 2022 the Lw-10 served a notice to the accused person U/s 41 (A) 1 Cr.PC., in exercise of powers conferred under sub-section (1) of 41 (A) Cr.P.C and served against the accused person herein and hereby directed him to appear before Lw-10 within three days at PS Noothankal along with any evidence/documents/Sureties and explain the reasons to prove you're innocent in this case to proceed further with the investigation in the interest of justice. On 18.10.2022 the accused person came to police station Noothankal and surrendered before the Lw.10 by admitting to his guilt, on interrogation the accused person voluntarily confessed to have committed this offence, As such the LW.10 issued 41 (A) (3) Cr.P.C Notices to the accused person as the case is punishable with imprisonment for a term of which may be less than seven years and directed him to appear before the Hon'ble court of JFMC Thungathurthy after receiving the accused summons. After completion of investigation filed the charge sheet.

6. The learned Judicial Magistrate of First Class, Thungathurthy has taken on file this case for the offence punishable under Sections under 354, 354(A) IPC., basing on the material available on record.

7. On appearance of the accused, copies of all documents were furnished to him, on which the prosecution proposes to rely, as required under Section 207 Cr.P.C.

8. On appearance of the accused, heard both sides perused the record and basing on the material available on record, examined under Section 239 Cr.P.C and the charges were framed against the accused under Section 240 Cr.P.C. for the offence under Sections under 354, 354 (a) IPC., read over and explained to him, in vernacular language, after understanding the same the accused pleaded not guilty and claimed to be tried.

9. In order to substantiate the offences charged against accused, the prosecution has examined Pw.1 to Pw.4. The learned APPO has given up evidence of Lw.7 to Lw.10, as the main witnesses to the case turned hostile, hence remaining evidence closed, APPO reported no further evidence, hence prosecution evidence is closed.

10. Since the material witnesses did not support the case of prosecution as such the learned Assistant Public Prosecutor given up all other witnesses including investigating officer since no incriminating evidence found against as such the examination under section 313 Cr.P.C. is dispensed.

11. Heard the learned APP of the State and learned counsel for the accused.

12. Now the point for determination is :

Whether the prosecution has established the guilt of the accused for the offence punishable under Section under 354, 354(A)IPC, beyond reasonable doubt?

13. To prove the case the prosecution has got examined Pw.1 to Pw4 and marked exhibits Ex.P1 to Ex.P5.

14. Pw.1 is complaint and victim has turned hostile and that she did not support the case of the prosecution.

15. Pw.2, Pw3 and Pw4 are eye-witnesses to the incident and they have turned hostile and that they did not support the case of the prosecution.

16. In the light of the above discussion, as there is no incriminating evidence, against accused, as none of the material witness have supported the case of the prosecution, as nothing was elicited to prove the guilt of the accused beyond all reasonable doubt, as there is no iota of evidence bringing the complicity of the accused, this court opines that the prosecution has miserably failed in bringing home to guilt of the Accused for the offence under 354, 354(A) IPC., beyond reasonable doubt by adducing, trustworthy, reliable, convincing and cogent evidence and so opines that the Accused is entitled for acquittal.

17. In the result, the accused is found not guilty for the offence under Section 354, 354(A) IPC, and accordingly the accused is acquitted of the said offences under Section 248 (1) Cr.P.C. The bail bonds of the accused shall stand cancelled after the expiry of appeal time and the unmarked case property if any shall be destroyed after lapse of appeal period.

Typed to my dictation by Stenographer and after correction, pronounced by me in the Open Court on this the 14th day of August, 2025.

Sd/-
JUDICIAL MAGIS TRATE OF FIRST CLASS,
THUNGATHURTHY.

APPENDIX OF EVIDENCE

WITNESSES EXAMINED ON BEHALF OF THE PROSECUTION :

Pw.1: L. Renuka is complainant & Victim.

Pw.2: L. Kalyan is Eye-witness to the incident.

Pw.3 : L. Susheela is Eye-witness to the incident.

Pw.4 : L. Balu is Eye-witness to the incident

WITNESSES EXAMINED ON BEHALF OF ACCUSED:

-NIL-

EXHIBITS MARKED ON BEHALF OF THE PROSECUTION :

Ex.P1: is signature on complaint.

Ex.P2: is 161 Cr.P.C statement.

Ex.P3: is 161 Cr.P.C statement.

Ex.P4 :is 161 Cr.P.C statement.

Ex.P5 :is 161 Cr.P.C statement.

EXHIBITS MARKED ON BEHALF OF THE ACCUSED:

- NIL-

MATERIAL OBJECTS MARKED:

- NIL-

**Sd/-
JUDICIAL MAGISTRATE OF FIRST CLASS,
THUNGATHURTHY.**