

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.I AT ARIYALUR

Present : Tmt. R. Sangeetha Sekar, B.A., B.L.,

Judicial Magistrate No.I, Ariyalur.

Monday, the 13th day of July – 2026

Calender Case No.619/2025

CNR No.TNAL040042632025

Inspector of Police

Ariyalur P.S,

Cr.No.295 of 2025.

... Complainant.

/Vs/

1. Amsa, 23/26,

W/o.Sivakumar

2. Sivakumar,35/26,

S/o.Kasinathan

3. Thangavel, 55/26

S/o.Palanimuthu

4. Kasinathan, 64/26

S/o.Palanimuthu

All are residing at

East Street,

Manakkal, Ariyalur–Dt.

... Accused.

Offence : A1 to A4 –U/s. 296(b), 118(1), 351(3) BNS.

Charges framed : A1 – U/s. 296(b), 351(3) BNS

A2 – U/s. 296(b), 118(1), 351(3) BNS

A3, A4 – 296(b) BNS

Finding : Not Guilty

Judgment : Acquittal

Sl. No.	Description of the accused				
	Name	Father's Name	Occupation	Residence	Age
(1)	(2)	(3)	(4)	(5)	(6)
A1.	Amsa	W/o.Sivakumar	Cooli	East Street, Manakkal, Ariyalur–Dt.	23
A2.	Sivakumar	S/o.Kasinathan	Agriculture	East Street, Manakkal, Ariyalur–Dt.	35
A3.	Thangavel	S/o.Palanimuthu	Agriculture	East Street, Manakkal, Ariyalur–Dt.	55
A4.	Kasinathan	S/o.Palanimuthu	Agriculture	East Street, Manakkal, Ariyalur–Dt.	64

Date of							Explanation
Occurrence	complaint	Apprehension or appearance	Release on bail	Commence –ment of trial	Close of trial	Sentence or order	
(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
19.07.2025	20.07.2025	04.08.2025	04.08.2025	19.05.2026	06.07.2026	13.07.2026	--
19.07.2025	20.07.2025	20.07.2025	26.07.2025	19.05.2026	06.07.2026	13.07.2026	--
19.07.2025	20.07.2025	04.08.2025	04.08.2025	19.05.2026	06.07.2026	13.07.2026	--
19.07.2025	20.07.2025	04.08.2025	04.08.2025	19.05.2026	06.07.2026	13.07.2026	--

Sl. No	Description	Details		
		Remand on	Released on	
1.	The Period of remand of the accused	A2 – 20.07.2025	A2 is granted Bail by the Judicial Magistrate No.I, Ariyalur bail order in Crl.M.P.No.1327/2025, Dated 26.07.2026 and released on 26.07.2026	
2.	The date of filing of final report in the court.	28.10.2025		
3.	The date of committal of the case to the court of session	Nil		
4.	The date of questioning of the accused under section 263, 269 and 274 of the BNSS	263 of BNSS on 24.03.2026		
5.	Filing of all miscellaneous petitions. And their results including the results on challenge before superior courts, except routine petitions like 355 of BNSS.	The Advocate for the accused has filed petition U/s.359 BNSS on 06.07.2026 is dismissed.		
6.	The date of examination in chief and cross examination of a witnesses	Witness	Examined in chief	Examined in cross
		PW1	19.05.2026	19.05.2026 06.07.2026
		PW2	19.05.2026	19.05.2026 06.07.2026
		PW3	09.07.2026	08.07.2026

7.	The date of examination of the Accused U/s. 351(1)(b) BNSS.	09.07.2026	
8.	Details of absconding on this Appearance / Production, as the case may be.	NBW issued	Recalled
		–	–
9.	Grand of stay by superior courts on the results their of	Nil	

This Calendar case coming before this court for final hearing on 13.07.2026 in the presence of Assistant Public Prosecutor Grade–2, for the State and Thiru.P.Ponselvam,M.A.,B.L., and Thiru.P.Sakthivel,B.Sc.,B.L., Advocate for the accused, on hearing the arguments of both sides, upon perusing the entire case records, and having stood over for consideration till this day, this court delivered the following:

J U D G M E N T

1. The case of prosecution as revealed by the final report

The case of Prosecution is that on 19.07.2025 at around 9.00 a.m, when the defacto complainant was in his house. A1 to A4 came there and abused the defacto complainant by uttering words, saying, "தேவடியா குச்சிக்காரி மவுனாவ". A2 attacked defacto complainant with Hollow block stone and backside of his head. A1, A2 criminally intimidated him. Thus the A1 is to be prosecuted for offences under sections 296(b), 351 (3) of BNS, A2 is to be prosecuted for offences under sections 296(b), 118(1), 351 (3) of BNS, A3, A4 are to be prosecuted for offences under sections 296(b) of BNS.

2. The A1, A2, A3, A4 appeared on summons and was furnished with the free copies of the case records in compliance with section 230 of BNSS. After giving sufficient time, on the basis of contents in the final report the A1, A2, A3, A4 are questioned on the accusations. On prima facie satisfaction, charges were framed against A1, A2, A3, A4 under 263 of BNSS A1 is to be prosecuted for offences under sections 296(b), 351 (3) of BNS, A2 is to be prosecuted for offences under sections 296(b), 118(1), 351 (3) of BNS, A3, A4 are to be prosecuted for offences under sections 296(b) of BNS, read over and explained to the accused in Tamil. However, the accused denied the charges to be false and claimed to be tried. Thereafter the Prosecution witnesses were ordered to be examined by issuing summons to the witnesses.

3. It is the endeavour of the Prosecution to prove the guilt of Accused in this case beyond all reasonable doubts by adducing suitable evidence and relevant materials. The Prosecution side has examined PW1 to PW3 witnesses to establish the guilt of the Accused and marked Ex.P1 to Ex.P6. No Material objects marked on the side of the Prosecution. LW2 to LW8 are dispensed by prosecution. On the side of the defence, no oral or documentary evidence were adduced and no Material objects were marked.

4. Evidence for prosecution :

PW1 Murali is the defacto complainant and injured person. He deposed about the incident in his chief examination but after wards he had entered into compromise with the Accused. He deposed in the cross examination that he had entered into compromise with accused without any one's compulsion. He deposed in the chief

examination as tutored by the police. There is no need to proceed the case further.

PW2 Logeshwari is the eye witness. She deposed about the incident in her chief examination but after wards she had entered into compromise with the Accused. She deposed in the cross examination that she had entered into compromise with accused without any one's compulsion. She deposed in the chief examination as tutored by the police. There is no need to proceed the case further.

PW3 Mohan, Sub-Inspector of Police, she deposed that she had worked along with S.S.I. Pugazhendhi and he was well acquainted with his handwriting. Hence he was deposing on behalf of him based on documents. While S.S.I. Pugazhendhi was on duty in Ariyalur Police Station on 20.07.2025 received intimation from Ariyalur Government Hospital, based on the information, he went there and received Ex.P.1 complaint from Murali S/o.Ayyasamy who was inpatient in the Hospital. He registered a Ex.P.1 Complaint Statement and Ex.P.2 First information Report in Crime No.295/2025 under Sections 296(b), 118(1), 351(3) of BNS. On the same day, he went to the place of occurrence and inspected the spot in the presence of witnesses Karuppaiyan and Shanmugamari and prepared Ex.P3 observation mahazar, Ex.P4 Rough sketch. Later, he enquired the witnesses Murali, Logaeshwari, Pappa, Devi, Karuppaiyan and Shanmuga Mari separately and recorded their statements. A1, A3, A4 are released on anticipatory bail. On 20.07.2025 at 16.00 hours, he arrested A2 Sivakumar near O.Koothur Bus stop. He enquired and recorded the statements of witnesses Doctor Sudhakar who had given treatment to the injured person PW1 Murali and received Ex.P.5 Accident Register and Ex.P.6 Wound Certificate. And after completion of investigation, he

filed final report.

5. The accused are then questioned under section 351(1)(b) BNSS about the incriminating circumstances appears in the evidence of the Prosecution witnesses as well as the Exhibits whereas the Accused denied his complicity with the crime. The Accused stated that they have defence witnesses to be examined but later no witness were examined and no Exhibits on his side, Hence Defence side evidence is closed.

6. PW1 is the the defacto complainant and injured person and PW2 eye witness. PW1 deposed about the incident in his chief examination but after wards he had entered into compromise with the Accused. He deposed in the cross examination that he had entered into compromise with accused without any one's compulsion. He deposed in the chief examination as tutored by the police. There is no need to proceed the case further. Pw2 deposed that She deposed about the incident in her chief examination but after wards she had entered into compromise with the Accused. She deposed in the cross examination that she had entered into compromise with accused without any one's compulsion. She deposed in the chief examination as tutored by the police. There is no need to proceed the case further. Hence, there is no nexus connectivity to the case of the Prosecution. Therefore, the Prosecution sought for examination of PW3 on behalf of the investigation officer who register the First information report and filed Final Report.

7. The Point for determination is whether the Prosecution has proved the guilty of the A1 under sections 296(b), 351 (3) of BNS, A2 under sections 296(b), 118(1), 351 (3) of BNS, A3, A4 under sections 296(b) of BNS, under

263 of BNSS for the offences under sections beyond all reasonable doubts?

8. The case projected by the Prosecution as contended by the Learned Assistant Public Prosecutor for the state vehemently argued that Accused abused the defacto complainant in filthy Language and also attacked him with hollow block stone and criminally intimidated the defacto complainant. Since, the Prosecution has examined witnesses and marked exhibits, the Accused should be punished with maximum punishment.

9. Pw1 who had set the law in motion by lodging report (complaint) against Accused alleging that PW1 was abused in the public place using obscene word and attacked him with hallow block stone. PW1 is the the defacto complainant and injured person. PW1 deposed about the incident in his chief examination but after wards he had entered into compromise with the Accused. He deposed in the cross examination that he had entered into compromise with accused without any one's compulsion. He deposed in the chief examination as tutored by the police. There is no need to proceed the case further. Therefore the evidence of PW1 have absolutely lost their credibility and not corroborated the evidence and not supported the Prosecution case there is no nexus connectivity with the alleged occurrence.

10. It is a settled law as laid down by the Hon'ble Apex Court in the case of **Madan Mohan Abbot vs State of Punjab reported in (2008) 4 SCC 582** that, " It is advisable that in disputes where the question involved is of a purely personal nature, the court should ordinarily accept the terms of the compromise even in criminal proceedings, as keeping the matter alive with no possibility of a

result in favour of the Prosecution is a luxury which the courts, grossly overburdened as they are, can not afford and that the time so saved can be utilized in deciding more effective and meaningful litigation. This is a common sense approach to the matter based on the grounds of realities and bereft of the technicalities of the Law."

11. The burden of proof vests on the Prosecution to prove the guilt of the Accused beyond all reasonable doubts. In the present case, the Prosecution has failed to elucidate the case of Prosecution and all the crucial witnesses presented before the court has turned hostile except the Police witness. Hence, the complaint is doubtful. On carefully weighing the evidence of prosecution, this court finds that there is no sufficient material, incriminating the A1 under sections 296(b), 351 (3) of BNS, A2 under sections 296(b), 118(1), 351 (3) of BNS, A3, A4 under sections 296(b) of BNS. Considering the facts and circumstances above, this court is of the considered view that the offences charged against A1 under sections 296(b), 351 (3) of BNS, A2 under sections 296(b), 118(1), 351 (3) of BNS, A3, A4 under sections 296(b) of BNS, are not proved beyond all reasonable doubts. Therefore the Accused are given benefit of doubt in their favour.

12. In this case, the defacto complainant and injured person P.W.1 has entered into compromise with the Accused. Hence, he is not fit to receive compensation u/sec. 396 of BNSS.

13. In result, A1 is not found guilty of the charges under sections 296(b), 351 (3) of BNS, A2 is not found guilty of the charges under sections 296(b), 118(1), 351 (3) of BNS, A3, A4 are not found guilty of the charges under sections

296(b) of BNS, And is therefore A1 to A4 are acquitted under section 271(1) of BNSS. The bail bonds shall stand cancelled after the appeal time is over.

14. There is no property in this case.

Directly dictated to Steno Typist and typed by her corrected and pronounced by me in open court on this 13th day of July 2026.

Judicial Magistrate No.I,
Ariyalur.

List of Prosecution Witnesses:–

Sl. No.	Name of the Witnesses	Classification of witnesses
P.W.1	Thiru.Murali	Complainant
P.W.2	Thiru.Logeshwari	Eye Witness
P.W.3	Thiru.Mohan, Sub Inspector of Police	Additional Witness on behalf of investigation Officer.

List of Prosecution side exhibits:

Sl. No.	Exhibits Marked Documents	By whom was the Document marked
Ex.P.1	Signature of the PW1 in the Complaint Statement	PW1
Ex.P.2	First Information Report	PW3
Ex.P.3	Observation Mahazar	PW3
Ex.P.4	Rough Sketch	PW3

Ex.P.5	Accident Register of PW1	PW3
EX.P.6	Wound Certificate of PW1	PW3

List of Prosecution Material Objects : Nil

List of Accused side witness : Nil

List of Accused side exhibits : Nil

List of Material Object : Nil

Note:—

- (1) No witnesses was detained for more than 3 hearings.
- (2) Copy of judgment submitted to
the Hon'ble Chief Judicial Magistrate, Ariyalur.

Judicial Magistrate No.I,
Ariyalur.