

**IN THE COURT OF THE JUDICIAL MAGISTRATE,
SULUR, COIMBATORE DISTRICT.**

Present: Thiru.T.Arunkumar, M.A.,M.L.,M.B.A.,

Judicial Magistrate, Sulur.

Friday, the 24th day of April 2026

Calendar Case No: 50 of 2025

(CNR No.TNCB18-000304-2025)

1.	Serial Number of the Case	Calendar Case No: 50 of 2025
2.	Name of the Complainant & Address	The State of Tamil Nadu, represented by the Sub Inspector of Police, (Negamam PS), Sulthanpettai Police station in Crime No: 04 of 2015.
3.	Name, age, father's name and address of the 1 st Accused	Mr. Mahalingam (28/2015), S/o. Sivasamy, 2/43 East Street, Jallipatti, Sulur Taluk.
4.	Name, age, father's name and address of the 2 st Accused	Mr. Kumar @ Anandhakumar (23/2015), S/o. Chellamuthu, 1/146, Periya thottam, Sulur Taluk.
5.	Offence Complained of	Offence under Sections 294(b),323,324,506(i) of IPC
6.	Date of Offence	08.01.2015.
7.	Date of Complaint	08.01.2015.
8.	Plea of the Accused and his Examination in Brief	Pleaded not guilty.
9.	Apprehension	A1-Anticipatory Bail by Honourable High Court. A2-Anticipatory Bail by Honourable High Court.
10.	Released on bail	A1-21.01.2015 A2-21.01.2015
11.	Commencement of trial	02.04.2019.
12.	Close of trial	22.04.2026
13.	Judgment Reserved on	24.04.2026

14.	Judgment Pronounced on	24.04.2026
15.	Sentence or Order	Acquitted.
16.	Explanation of Delay	Nil
17.	Remarks	Nil

As per Amendment to the Criminal Rules of Practice 2019 dated 23.03.2022, the case summary is detailed below

Sl.No.	CASE SUMMARY			
i).	The period of remand of the accused	Name of the accused	Date of Remand	Release on
		Mr. Mahalingam (28/2015), S/o. Sivasamy, 2/43 East Street, Jallipatti, Sular Taluk.	Anticipatory Bail by Honourable High Court.	21.01.2015
		Mr. Kumar @ Anandhakumar (23/2015), S/o. Chellamuthu, 1/146, Periya thottam, Sular Taluk.	Anticipatory Bail by Honourable High Court.	21.01.2015
ii).	Date of filing of the complaint/ final report in the court	Filing of Complaint	Filing of Final report	
		-	27.01.2017.	
iii).	Date of committal of the cases to the Court of Sessions.	Nil	Nil	
iv).	Date of questioning of the accused under section 228, 240, 246 and 251 of	Questioning under section 240 (2) of Cr.P.C on 22.06.2017.		

	the Code of Criminal Procedure, 1973, as the case may be;			
v).	Filing of all miscellaneous petitions and their results including the results on challenge before superior Courts; except routine petitions like petitions under Section 317 of the Code;	Crl.M.P.No. & under section or prayer	Date of filing	Result
		CMP No.878/2015 – Surrender petition	Filed on 05.02.2015	Allowed on 05.02.2015
		MP 4/2026- Petition u/s 359 of BNSS	Filed on 20.04.2026	Dismissed on 20.04.2026
		MP 5/2026- Petition u/s 294 of Crpc	Filed on 20.04.2026	Allowed on 20.04.2026
		MP 6/2026-Petition u/s 311 of Crpc	Filed on 20.04.2026	Allowed on 20.04.2026
vi).	Date of Examination in chief and cross	Name of the Witness	Date of Chief Examination	Date of Cross Examination
		PW1-Mr. Thangavel. PW2-Mr. Velusamy PW3- Mr. Mohan Kumar PW4.Mrs. Praveena Inspector of Police/ Investigation Officer.	02.04.2019. 02.04.2019. 15.04.2026. 20.04.2026.	20.04.2026. 02.04.2019. Hostile. 20.04.2026
vii).	Date of examination of the accused under section 313 of the Code;	22.04.2026		
viii).	Details of abscondance of an accused and his	Nil		

	appearance / production, as the case may be; and	
ix).	Grant of stay by superior courts and the results thereof	Nil
x).	Details of victim compensation ordered.	Nil

This case cognizance was taken on file on 27.01.2017 Judicial Magistrate No.II, Pollachi as CC 06/2017 and due to Police Station Jurisdiction, transferred to this court and renumbered as CC 50/2025 came up for final hearing this the 22nd day of April 2026 before this court, in the presence of Tmt.R.SenthamilSelvi, B.A., B.L(Hons)., and Thiru.P.K.Prabhuram,B.A.,B.L., appeared for the 1st and 2nd accused and having stood over for consideration till this day, upon perusing the records and on hearing both side arguments, this court doth delivers the following

JUDGMENT

The case of prosecution as revealed by the final report:

(1). The gist of the final report filed by the Sub Inspector of Police, Negamam Police Station in Crime No: 4 of 2015 under Sections 294(b),323,324,506(i) of IPC is as follows: -

(2). The case of the prosecution is that on 06.01.2015, at about 20:30 hours, at the electronics shop in Jallipatti, due to a prior dispute regarding a loan of ₹50,000, the accused A1 and A2 abused the complainant PW1 in filthy language, pushed him down, and voluntarily caused hurt by kicking him and beating him with sandals. It is further alleged that the accused criminally intimidated the complainant with dire consequences. Based on the complaint filed by PW1, a case was registered in Negamam P.S. Hence, the Special Sub Inspector of Police, Negamam Police Station had laid the final report under Section 173(2)(1) of Cr.P.C for the offences u/s 294(b), 323,324,506(i) of IPC against A1 and A2.

(3). On appearance of A1 and A2, they were furnished with the copies of the case records in compliance of section 207 of Cr.P.C., As there was a prima facie case made out against A1 and A2, they were questioned for the offence under sections 294(b), 323, 324,506(i) of IPC. Charges framed against A1 for the offence punishable under sections 294(b), 323,324, 506(i) of IPC and A2 Charges framed for

the offence punishable under sections 294(b), 323, 506(i) of IPC and read over and explained to them in tamil. They both denied the charge as false, pleaded not guilty and claimed to be tried.

(4). Since the accused denied the charges framed against them, to prove the prosecution case, summons were issued to the witnesses. Out of 9 witnesses mentioned in the list of witness, the prosecution had examined PW1 to PW4. Ex.P 1 to Ex.P7 were marked. LW2, LW3, LW4, LW7, LW8 dispensed by the prosecution. No material objects were marked on the side of the prosecution.

(5). The gist of the prosecution case is as follows: -

(5.1). The case of the prosecution is that due to previous enmity, that on 06.01.2015, at about 20:30 hours, at the electronics shop in Jallipatti, due to a prior dispute regarding a loan of ₹50,000, the accused A1 and A2 abused the complainant PW1 in filthy language, pushed him down, and voluntarily caused hurt by kicking him and beating him with sandals. It is further alleged that the accused criminally intimidated the complainant with dire consequences.

(5.2). PW1 Thangavel, has deposed that he is known to the accused persons. PW1 has further stated that on 21.12.2012, he obtained a loan of ₹50,000 from the first accused, Mahalingam, for the purpose of his business, agreeing to repay the same in weekly installments of ₹5,000. However, at the time of disbursement, a sum of ₹5,000 was deducted in advance, and only ₹45,000 was handed over to him. He has also deposed that he had an earlier loan transaction of ₹50,000 with the first accused, which he was still repaying at the time of availing the present loan, and that he had repaid about ₹20,000 towards the present loan. According to PW1, due to financial difficulties and losses in his business, he was unable to continue making payments and therefore requested additional time, which was initially granted by the first accused. Subsequently, the first accused began insisting on repayment and pressurizing him, stating that the amounts paid by PW1 were being adjusted only towards interest and not towards the principal amount, and that the total outstanding had escalated to ₹1,50,000.

(5.3) PW1 has further deposed that he offered a UPS battery valued at ₹23,000 to the first accused, who took the same and claimed that ₹20,000 had been adjusted towards interest. Owing to continued business losses, PW1 closed down his shop and returned to his native place. PW1 has stated that on 06.01.2015, while he was working as an electrician near the residence of the first accused, at about 7:00 PM, the first accused contacted him over phone and enquired about his location. Later, at about 8:30 PM, both accused came to the place where PW1 was working and called him outside. It is his further evidence that upon coming out, the accused demanded repayment and threatened that he would not be permitted to work if he failed to pay the amount. When PW1 expressed his inability to make immediate payment, both accused allegedly assaulted him by pushing him to the

ground, kicking him, beating him with slippers, and abusing him in vulgar language, as a result of which he sustained injuries on his left hand, head, face, and abdomen.

(5.4) PW1 has also stated that his relatives arrived at the scene and took him home. As he continued to suffer pain, he sought treatment at the Government Hospital, Palladam, on the following day and was thereafter referred to the Government Hospital, Coimbatore for further treatment. He has further deposed that while he was being taken to the hospital, the accused intercepted them and threatened him by stating that he would not be able to carry on any business and that his life was in their hands, thereby causing fear. PW1 has also stated that he subsequently lodged a complaint before the LW8 Mr. Sebastian for setting the Law into motion, and identified his signature in the said complaint, which was marked as Ex.P1.

(5.5) PW2 Mr. Velusamy and PW3 Mr. Mohan Kumar, the Mahazar witnesses, testified only to the police visit at the spot but could not provide any eye-witness account of the actual occurrence of the crime, admitted the signature in the Ex.P2 and Ex.P3.

(5.6) PW4 Mr. Praveena Inspector of Police deposed in her evidence that on 08.01.2015 LW8 namely sebastian was incharge of the Negamam Police Station received report Ex.P1 from PW1 based on the averments of the complaint registered Ex.P4 First Information Report in Negamam Police Station Cr. No. 4/2015 for the offences u/s 294(b), 355,323, 506(i) of IPC. And further on the wake of the investigation went to the place of occurrence prepared Ex.P5 Observation Mahazar and Ex.P6 Rough Sketch in presence of PW2 Velusamy and PW3 Mohan Kumar. And further obtained Ex.P7 wound certificate from LW7 and recorded the statements of witnesses. Both the accused were granted Anticipatory Bail from Honourable High Court of Madras in Crl.Op. 944/2015 dated 21.01.2015. Based on the Opinion given by LW7 and also on the strength of investigation charges were altered from u/s 294(b), 355,323, 506(i) of IPC altered to u/s 294(b), 324,323, 506(i) of IPC and filed Ex.P8 Alteration Report. On completion of investigation filed charge sheet against A1 and A2 for the offences u/s 294(b), 324,323, 506(i) of IPC.

(6). EXAMINATION OF THE ACCUSED:

Upon the closure of the prosecution evidence, A1 and A2 accused questioned under section 313(1)(b) of Cr.P.C with regard to the incriminating circumstances appears in the evidence of the prosecution witnesses as well as the Exhibits whereas A1,A2 denied their complicity with the crime. Both Accused stated that they have no defence witnesses to be examined and Exhibits on their side, hence defence side evidence is closed.

(7). ARGUMENTS

(7.1). The learned APP argued that the prosecution has proved its case with the oral testimony of PW1 to PW4 and Ex.P:1 to Ex.P:8 and the witnesses examined on the side of prosecution were corroborated by each other and the prosecution case and prays for conviction.

(8). The learned defence counsel have argued that false case had been foisted against both accused and the witnesses examined on the side prosecution had not corroborated the case of the prosecution and further there is no reliable and credible evidence to prove the charges against both accused and hence the benefit of doubt may be given to both accused and A1 and A2 accused may be acquitted.

(9). Now the point for determination is Whether the prosecution has proved the charges against the accused beyond reasonable doubt. If so, then What would be the sentence to be imposed against them?.

10. DISCUSSION EVIDENCE AND THEREOF

(10.1) PW1, who is the victim and the substratum of the prosecution's case, was examined in chief. In his initial testimony, he detailed the loan transaction and the subsequent assault. However, during cross-examination, PW1 turned hostile. He categorically stated that the dispute was purely verbal and that no physical assault took place. He further testified that he sustained injuries due to an accidental fall at his workplace and not due to any act of the accused. PW1 admitted in open court that a compromise has been reached between him and the accused through the mediation of elders. He stated that he has no further grievances and does not wish to pursue the case.

(10.2) PW2 and PW3, the Mahazar witnesses, testified only to the police visit at the spot but could not provide any eye-witness account of the actual occurrence of the crime. PW4 Evidence is official in nature regarding registration of Ex.P4 First Information Report Preparation Ex.P5 Observation Mahazar Ex.P6 Rough Sketch. On the side of the prosecution Ex.P7 namely Wound Certificate were marked. On appraisal of Ex.P7 injuries were noted in the Accident Register Doctor also opined the injuries are simple in nature. Even though Prosecution proved PW1 injuries by way of marking Ex.P7 Wound Certificate, Since the star witness (PW1) has resiled from his earlier statement and the parties have entered into an amicable settlement, the

very foundation of the prosecution's case has collapsed. There is no incriminating evidence on record to link the accused to the alleged offenses. The prosecution has failed to prove the charges beyond a reasonable doubt.

11. Final Order:

In the result, the accused A1 (Mahalingam) is not found guilty for the offences u/s 294(b), 323,324,506(i) of IPC and the accused A2 (Ananthakumar) is found not found guilty for the offences u/s 294(b), 323,506(i) of IPC and therefore both accused are hereby ACQUITTED under Section 248(1) of the Cr.P.C.

12. Property order

No property produced in this case. Hence no case property order.

This judgment is dictated by me to the typist and typed by her directly in the computer and after effecting necessary corrections pronounced by me in the open Court on this the 24th day of April 2026.

(Sd/- T. Arunkumar)

Judicial Magistrate,
Sulur.

List of prosecution side witnesses:

- 1.PW1- : Mr. Thangavel.
- 2.PW2-: Mr. Velusamy.
- 3.PW3-: Mr. Mohan Kumar
- 4.PW4-: Mrs. Praveena Inspector of Police/ Investigation Officer.

List of prosecution side exhibits:

Sl.No. of the exhibits	Description of the exhibit and its date	Date, when the exhibit was filed in the case	How marked	By whom filed	Remarks
01.	Complaint dated 08.01.2015.	02.04.2019	Ex.P:1	PW1	Original
02.	2 nd Signature of Observation Mahazar dated 08.01.2015.	02.04.2019	Ex.P:2	PW2	Original

03.	1 st Signature of Observation Mahazar dated 08.01.2015.	15.04.2026	Ex.P:3	PW3	Original
04.	First Information report dated 08.01.2015.	20.04.2026	Ex.P:4	PW4	Original
05.	Observation Mahazar dated 08.01.2015.	20.04.2026	Ex.P:5	PW4	Original
06.	Rough Sketch dated 08.01.2015.	20.04.2026	Ex.P:6	PW4	Original
07.	Wound Certificate dated 24.02.2015.	20.04.2026	Ex.P:7	PW4	Original
08.	Alteration report dated 05.01.2017 .	11.03.2026	Ex.P:8	PW4	Original

Prosecution side material objects:- Nil

List of witness on the side of the accused: Nil

List of exhibits on the side of the accused: Nil

Note:

- 1.The accused were on bail during the trial period.
- 2.No witnesses were detained for more than 3 hearings.
- 3.The result of the case informed to the police.

(Sd/- T. Arunkumar)
Judicial Magistrate,
Sulur.