

**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 29th day of May 2026

Calendar Case No: 474 of 2025

(CNR No.TNCB18-001862-2025)

1.	Serial Number of the Case	Calendar Case No:474 of 2023
2.	Name of the Complainant & Address	State Represented by the Sub-Inspector of Police, Sulur Police station in Crime No:782 of 2015
3.	Name, age, father's name and address of the 1 st Accused	Mr.Manojkumar, (Aged 20/2015), S/o.Ponnusamy, 67/107, Vedappan Veethi, Pallapalayam, Coimbatore.
4.	Name, age, father's name and address of the 2 nd Accused	Mr.Dileepkumar, (Aged 24/2015), S/o.Ravichandran, 11/14, Angappan Veethi, Pallapalayam, Coimbatore.
5.	Name, age, father's name and address of the 3 rd Accused	Mr.Manojkumar, (Aged 20/2015), S/o.Manoharan, 19/8, Vedappan Veethi, Pallapalayam, Coimbatore.
6.	Name, age, father's name and address of the 4 th Accused	Mr.Silambu @ Silambarasan, (Aged 27/2015) S/o.Paramasivan, 11/12, Angappan Veethi, Pallapalayam, Coimbatore.
7.	Name, age, father's name and address of the 5 th Accused	Mr.Arun, (Aged 22/2015), S/o.Ravichandran, 11/14, Angappan Veethi, Pallapalayam, Coimbatore.
12.	Offence Complained of	Offence under Sections 147, 294(b), 506(ii) of IPC.
13.	Date of Offence	10.11.2015
14.	Date of Complaint	11.11.2015
15.	Plea of the Accused and his Examination in Brief	Pleaded not guilty.
16.	Apprehension	A1-A3 – 12.11.2015 A4 and A5 – as per order of I Additional District and

		Sessions Judge dated 19.11.2015
17.	Released on bail	A1-A3 – 20.11.2015 A4 and A5 – as per order of I Additional District and Sessions Judge dated 19.11.2015
18.	Commencement of trial	17.04.2025
19.	Close of trial	29.05.2026
20.	Judgment Reserved on	29.05.2026
21.	Judgment Pronounced on	29.05.2026
22.	Sentence or Order	Acquitted
23.	Explanation of Delay	Nil
24.	Remarks	Nil

As per order of Hon'ble High Court, Madras in ROC

No.814/2020/RG/F1(P.Dis.No.36/2021) dated 07.04.2021 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
		A1: Mr.Manojkumar, (Aged 20/2015), S/o.Ponnusamy, 67/107, Vedappan Veethi, Pallapalayam, Coimbatore.	12.11.2015	20.11.2015
		A2: Mr.Dileepkumar, (Aged 24/2015), S/o.Ravichandran, 11/14, Angappan Veethi, Pallapalayam, Coimbatore.	12.11.2015	20.11.2015
		A3: Mr.Manojkumar, (Aged 20/2015),		

		S/o.Manoharan, 19/8, Vedappan Veethi, Pallapalayam, Coimbatore.	12.11.2015	20.11.2015
		A4: Mr.Silambu @ Silambarasan, (Aged 27/2015) S/o.Paramasivan, 11/12, Angappan Veethi, Pallapalayam, Coimbatore.	19.11.2015	21.11.2015
		A5: Mr.Arun, (Aged 22/2015), S/o. Ravichandran, 11/14, Angappan Veethi, Pallapalayam, Coimbatore.	19.11.2015	21.11.2015
ii).	Date of filing of the complaint/ final report in the court	Filing of Complaint	Filing of Final report	
		-	05.06.2025	
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 the Code of Criminal Procedure, 1973, as the case may be;	Questioning under section 251(2) of Cr.P.C on 17.04.2025.		
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
		Crl.M.P.No.11886/2015 - Condition relaxation Petition filed.	Filed on 05.12.2015	Allowed on 10.05.2015
		CMP. No. 11337/2015 – petition filed u/s 437 of Cr.P.C	Filed on 16.11.2015	Allowed on 19.11.2015

		CMP.No. 3181/2015 – petition u/s 438 of Cr.P.C	Filed on 19.11.2015	Allowed on 19.11.2015
		MP No. 1/2026 – petition u/s 311 of Cr.P.C	Filed on 27.05.2026	Allowed on 27.05.2026
vi).	Date of Examination in chief and cross	Name of the Witness	Date of Chief	Date of Cross
		PW1-Mr. Naveen PW2-Mr.Saravanan, the Special Sub Inspector of Police.	27.05.2026 27.05.2026	Hostile. 27.05.2026
vii).	Date of examination of the accused under section 313 of the Code;	29.05.2026		
viii).	Details of abscondance of an accused and his appearance / production, as the case may be; and	Nil		
ix).	Grant of stay by superior courts and the results thereof	Nil		

In this case cognizance was taken on 07.04.2024 and came up for final hearing on 29.05.2026 before this court, in the presence of Tmt.R.Senthamil Selvi, B.A.,B.L.,(Hons) Learned Assistant Public Prosecutor Grade II for the State and Advocates Mr.S. Murugesan, B.Com., B.L., for the accused A2, A4 and A5, having stood over for consideration till this day, upon perusing the records and hearing both side arguments, this court doth delivers the following:

JUDGMENT

(1). The gist of the final report filed by the Special Sub-Inspector of Police, Sular Police Station in Crime No:782 of 2015 under Sections 147, 294(b), and 506(ii) of IPC is as follows: -

On November 10, 2015, at approximately 18:00 hours, within the jurisdiction of the Sular Police Station at Pallapalayam, witnesses Naveen and Aravind were standing near Win Electronics and Electricals shop close to the Vivekananda Educational Institution, where they were conversing about going to a movie together. While they were talking, they were suddenly approached, surrounded, and confronted by accused A1 to A5 who had gathered together at the spot. In continuation of this confrontation, highly obscene, derogatory, and abusive slurs targeting the witnesses were publicly shouted at them by the accused, whereby great humiliation and public degradation were intentionally inflicted upon both witnesses. Hence, all the accused are alleged to have committed offence under sections 147, 294(b) of IPC. Hence, the Special Sub-Inspector of Police, Sular Police Station had laid final report under Section 173(2)(1) of Cr.P.C.

(2). After taking cognizance of the offence, the summons were issued to all the accused and on appearance of all the accused were furnished with the copies of the documents which were relied by the prosecution in compliance of Section 207 of Cr.P.C.,. As there was a prima facie case made out against all the accused, substance of accusation under Sections 147, 294(b) of IPC read over and explained to A2, A4 and A5. In respect of A1 and A3 death certificate furnished charge against A1 and A3 is abated. When all the accused A2, A4 and A5 were questioned under Section 251 of Cr.P.C on the allegations leveled against them, they pleaded not guilty and claimed to be tried.

(3). Since all the accused denied the allegations leveled against them, to prove the prosecution case, summons were issued to the witnesses. Out of the 8 witnesses mentioned in the list of witness LW1 and LW6 were LW1 was examined as PW1 and on permission PW2 was examined and **Ex.P:1** to **Ex.P:5** was marked and LW2 to LW6 were dispensed by the learned APP. No property had been produced on the side of the prosecution.

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

(4.1) The prosecution case as per the complaint **Ex.P:1** is that on November 10, 2015, at approximately 18:00 hours, within the jurisdiction of the Sular Police Station at

Pallapalayam, witnesses Naveen and Aravind were standing near Win Electronics and Electricals shop close to the Vivekananda Educational Institution, where they were conversing about going to a movie together. While they were talking, they were suddenly approached, surrounded, and confronted by accused A1 to A5 who had gathered together at the spot. In continuation of this confrontation, highly obscene, derogatory, and abusive slurs targeting the witnesses were publicly shouted at them by the accused, whereby great humiliation and public degradation were intentionally inflicted upon both witnesses and hence lodged **Ex.P:1** complaint for taking necessary action against the accused.

(4.2) PW-1 Naveen deposed that the accused A1 to A5 are known to him, but a compromise has been arrived at between them. A complaint was lodged at the police station on the day of the incident merely out of suspicion. The signature found on the complaint is admitted to be his, and the said signature is marked as **Ex.P-1** and during cross examination PW1 was declared as hostile.

(4.3) PW-2 Thiru. Prem Anand deposed that he was serving as an Inspector of Police at Sular Police Station. It is deposed that on November 11, 2015, a written complaint was received from Naveen by the then Special Sub-Inspector, Kumaresan. Based on the nature of the complaint, Sular Police Station Crime No. 782/2015 FIR **Ex.P-2** was registered under Sections 147, 294(b), and 506(ii) of IPC. On the same day at 8:45 AM, the scene of the crime was visited, and an inspection was conducted in the presence of witnesses Maheswari and Thangavel. An observation mahazar and a rough sketch were prepared, which are marked as **Ex.P-3** and **Ex.P-4**, respectively. Statements were recorded individually from witnesses. Accused persons Manoj Kumar, Dileep Kumar, and Manoj Kumar were arrested and remanded to judicial custody. Anticipatory bail was obtained by accused Arunkumar and Silambarasan from the Hon'ble District Court. Upon completion of the investigation, the altered report changing sections to include specific IPC provisions was filed and marked as **Ex.P-5**. Subsequently, a final charge sheet against accused A1 to A5 was submitted before the Court.

(5) To prove its case the prosecution has examined the Complainant Mr.Naveen as

PW1; and the Inspector of police Mr.Prem Anandh as PW2.

(6) PW1 Mr.Naveen had deposed that the accused are known to him and on 10.11.2015, at 6.00 am, when he was standing in front of Win Electrical Shop the he was verbally abused by the accused A1 to A5. It was further deposed that upon questioning the accused, abusive words were used, and he was physically assaulted and threatened with life by them and on suspicion, he had lodged complaint and hence he was declared as hostile witness and cross examined by the prosecution.

(7) PW2 Mr. Prem Anandh had deposed that on receiving complaint **Ex.P:1** the the Sub Inspector Mr. Kumaresan registered the FIR **Ex.P:2** in Crime no:782 of 2015 under Sections 147, 294(b), 506(ii) of IPC and proceeded to the place of occurrence and prepared observation mahazar **Ex.P:3** and Rough sketch **Ex.P:4** in the presence of witnesses and the accused persons Manoj Kumar, Dileep Kumar, and Manoj Kumar were arrested and remanded to judicial custody. Anticipatory bail was obtained by accused Arunkumar and Silambarasan after completing the investigation an alteration report changing the sections had filed and marked as **Ex.P.5**. Subsequently, a final charge sheet against accused A1 to A5 was submitted before the Court.

(8) Upon the closure of the prosecution evidence, the accused were questioned under section 313(1)(b) of the code of Criminal procedure with regard to the incriminating circumstance that appeared against them, in the evidence of prosecution witness, they denied the same as false evidence and stated that thye do not have witness on their side.

(9) The learned APP argued that the prosecution has proved its case with the oral testimony of PW1 and PW2 and **Ex.P1** to **Ex.P5** and prays for conviction.

(10) The learned defence counsel has argued that false case had been foisted against the accused and 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 the accused. No independent witness was examined and hence the benefit of doubt may be given to the accused and the accused may be acquitted.

(11). 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 him?.

(12). DISCUSSION:

(12.1) On November 10, 2015, at approximately 18:00 hours, within the jurisdiction of the Sular Police Station at Pallapalayam, witnesses Naveen and Aravind were standing near Win Electronics and Electricals shop close to the Vivekananda Educational Institution, where they were conversing about going to a movie together. While they were talking, they were suddenly approached, surrounded, and confronted by accused A1 to A5 who had gathered together at the spot. In continuation of this confrontation, highly obscene, derogatory, and abusive slurs targeting the witnesses were publicly shouted at them by the accused, whereby great humiliation and public degradation were intentionally inflicted upon both witnesses and hence, the accused are liable to be punished.

(12.2) In this case, PW1 is the complainant and he had deposed that someone had abused him and threatened him with dire consequences and he further deposed that a compromise has been arrived at between them and hence he was declared as hostile witness and cross examined by the prosecution. None of the witness neither identified the accused nor deposed about the offence committed by them.

(12.3) The witnesses who were examined on the side of the prosecution have not incriminated against the accused for offences under sections 147 and 294(b) of IPC. Further, except PW1, the prosecution has not examined any other witness mentioned in the list of witness.

(12.4) In the absence of any evidence against the accused, from the available materials on records, there is no oral or documentary evidence to prove the prosecution allegation. Therefore, the accused could not be held liable for the offences punishable under sections 147 and 294(b) of IPC on the basis of evidence of PW3 Mr.Prem Anandh, the Inspector of Police.

(12.5) The prosecution has not established the charges against the accused under sections 147 and 294(b) of IPC beyond reasonable doubt. Hence, the accused are entitled to the benefit of doubt.

(12.6) In the result, all the accused A2, A4 and A5 are found not guilty for the offence under sections 147, 294(b), 506(ii) of IPC and the accused A2, A4 and A5 are acquitted under section 255(1) of Cr.P.C. The bail bonds of the accused A2, A4 and A5 are stood canceled. In respect of A1 and A3 charge abated as per order dated 20.08.2025.

(12.7) Property Order:-No property had been produced by the prosecution.

This judgment is dictated by me to the Steno typist and typed by her directly in the computer and after effecting necessary corrections pronounced by me in the open Court on this the 29th day of May 2026.

(Sd/-T.Arunkumar)

Judicial Magistrate,
Sulur.

List of prosecution side witnesses:

1. PW-1:Mr.Naveen.
- 2.PW-2:Mr.Prem Anandh, the Inspector of Police.

List of prosecution side exhibits:

Sl.No. of the exhibit	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 11.11.2015.	27.05.2026	Ex.P:1	PW1	Original
02.	First Information report dated 11.11.2015.	27.05.2026	Ex.P:2	PW2	Original
03.	Observation Mahazar dated 12.11.2015.	27.05.2026	Ex.P:3	PW2	Original
04.	Rough Sketch dated 12.11.2015.	27.05.2026	Ex.P:4	PW2	Original

05.	Alteration report dated 12.11.2025.	27.05.2026	Ex.P:5	PW2	Original
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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.No witness has been retained for more than three times.
2. Accused A2, A4 and A5 remained on bail at the time of trial.
3. Result of this case is informed to the concerned police station.

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