

**40IN THE COURT OF THE JUDICIAL MAGISTRATE,  
SULUR, COIMBATORE DISTRICT.**

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

Judicial Magistrate, Sulur.

**Monday, the 22<sup>nd</sup> day of June 2026**

**Calendar Case No: 898 of 2025**

**(CNR No.TNCB18-004449-2025)**

|     |                                                     |                                                                                                                               |
|-----|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| 1.  | Serial Number of the Case                           | Calendar Case No: 898 of 2025                                                                                                 |
| 2.  | Name of the Complainant & Address                   | The State of Tamil Nadu, represented by the Sub Inspector of Police, Karumathampatty Police station in Crime No: 320 of 2023. |
| 3.  | Name, age, father's name and address of the Accused | Mrs. Mahalakshmi (Aged 35/2023), W/o.Pushparaj, 318, Sri Nagar, Thattamputhur Road, Kaniyur.                                  |
| 4.  | Offence Complained of                               | Offence under Sections 294(b), 323, 506(i) of IPC.                                                                            |
| 5.  | Date of Offence                                     | 31.07.2023.                                                                                                                   |
| 6.  | Date of Complaint                                   | 04.08.2023.                                                                                                                   |
| 7.  | Plea of the Accused and his Examination in Brief    | Pleaded not guilty.                                                                                                           |
| 8.  | Apprehension                                        | —                                                                                                                             |
| 9.  | Released on bail                                    | —                                                                                                                             |
| 10. | Commencement of trial                               | 12.01.2026.                                                                                                                   |
| 11. | Close of trial                                      | 19.06.2026.                                                                                                                   |
| 12. | Judgment Reserved on                                | 19.06.2026.                                                                                                                   |
| 13. | Judgment Pronounced on                              | 22.06.2026.                                                                                                                   |
| 14. | Sentence or Order                                   | <b>Acquitted.</b>                                                                                                             |
| 15. | Explanation of Delay                                | No delay.                                                                                                                     |
| 16. | Remarks                                             | No remarks.                                                                                                                   |

| 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                |
|                                                                                                              |                                                                                                                                                                                           | Mrs. Mahalakshmi (Aged 35/2023), S/o.Pushparaj, 318, Sri Nagar, Thattamputhur Road, Kaniyur. | –                         | –                         |
| ii).                                                                                                         | Date of filing of the complaint/ final report in the court                                                                                                                                | Filing of Complaint                                                                          | Filing of Final report    |                           |
|                                                                                                              |                                                                                                                                                                                           | -                                                                                            | 25.10.2025                |                           |
| 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 12.01.2026.                                    |                           |                           |
| 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                    |
|                                                                                                              |                                                                                                                                                                                           | MP No. 1/2026 – Petition filed u/s. 359 of BNSS                                              | Filed on 17.06.2026.      | Dismissed on 17.06.2026.  |
| vi).                                                                                                         | Date of Examination in chief and cross                                                                                                                                                    | Name of the Witness                                                                          | Date of Chief Examination | Date of Cross Examination |

|        |                                                                                               |  |                                                                                                  |                                                      |                                                |
|--------|-----------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------|------------------------------------------------------|------------------------------------------------|
|        |                                                                                               |  | PW1-Mr. Sarasal.<br>PW2-Mr. Karuppusamy<br>PW3-Mrs. Kanniyammal<br>PW4-Mr.Navaneetha<br>Krishnan | 17.06.2026<br>17.06.2026<br>17.06.2026<br>18.06.2026 | Hostile.<br>Hostile.<br>Hostile.<br>18.06.2026 |
| vii).  | Date of examination of the accused under section 313 of the Code;                             |  | 19.06.2026                                                                                       |                                                      |                                                |
| 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                                                                                              |                                                      |                                                |
| x).    | Details of victim compensation ordered.                                                       |  | Nil                                                                                              |                                                      |                                                |

This case cognizance was taken on file on 25.10.2025 and came up for final hearing this the 19<sup>th</sup> day of June 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 Tmt. P. Tamizhendhi, B.A., B.L., Learned Counsels appeared for the 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**

**(1). The gist of the final report filed by the Sub Inspector of Police, Karumathampatty Police Station in Crime No:320 of 2023 under Sections 294(b), 323, 506(i) of IPC is as follows: -**

(2). The case of the prosecution is that on 31.07.2023 at approximately 17:00 hours, PW1 Mrs. Sarasal, who have been collecting neem seeds at the land belonging to Durai Gounder, located at Mappillai Goundan Kuttai the accused abused PW1 Mrs. Sarasal in filthy language at public place. Furthermore, the accused assaulted the PW1 and LW2 using hands and stick and

also caused criminal intimidation. Therefore the accused is alleged to have committed an offence punishable under sections 294(b), 323, and 506(i) of IPC. Hence, the Sub Inspector of Police, Karumathampatty Police Station had laid the final report under Section 193(2)(1) of BNSS.

(3). On appearance of the accused, he was 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 the accused, he was questioned for the offence under sections 294(b), 323, 506(i) of IPC and charges were framed against the accused under sections 294(b), 323, 506(i) of IPC and read over and explained. When the accused was questioned under Section 240(2) of Cr.P.C on the charges framed against him and he pleaded not guilty and claimed to be tried.

(4). Since the accused denied the charges framed against him, to prove the prosecution case, summons were issued to the witnesses. Out of 10 witnesses mentioned in the list of witness, the prosecution had examined the defacto complainant LW1 Mrs. Sarasal as PW1, Hearsay Witness LW3 Mr. Karuppusamy as PW2 and Hearsay witness LW4 Mrs. Kanniyammal as PW3 and on permission, examined the Inspector of Police Mr. Navaneetha Krishnan as PW4 and marked exhibits Ex.P:1 to Ex.P:4 and LW2, LW5 to LW10 were dispensed by the prosecution. No property had been produced 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 on 31.07.2023 at approximately 17:00 hours, PW1 Mrs. Sarasal, who have been collecting neem seeds at the land belonging to Durai Gounder, located at Mappillai Goundan Kuttai the accused abused PW1 Mrs. Sarasal in filthy language at public place. Furthermore, the accused assaulted the PW1 and LW2 using hands and stick and the accused threatened them with dire consequences and hence, the defacto complainant gave report to the police for taking necessary action against the

accused.

(5.2). PW1 Sarasal, deposed in her evidence that approximately two years ago while PW1 was collecting neem seeds from the land belonging to Durai Gounder. PW1 further deposed that the accused abused her with filthy language and assaulted PW1 and LW2. The complaint was filed by PW1 out of mere suspicion. The sign of PW1 on complaint was marked as **Ex.P:1**. During cross examination PW1 turned hostile not supported the case of the prosecution.

(5.3). PW2 Karuppusamy, deposed that the defacto complainant was his mother and he further deposed that, two years ago while my mother was collecting neem seeds, the accused abused and assaulted his mother PW1 and while questioning it by his son LW2 Vignesh he was also assaulted by the accused. During cross examination turned hostile not supported the case of the prosecution.

(5.4) PW3 Kanniyammal deposed the lines of PW2.

(5.5). PW4 Navaneetha Krishnan the Inspector of Police, deposed based on the case records that on 04.08.2023, LW8 was incharge of the police station recieved complaint from PW1 based on the complaint he registered **Ex.P:2** FIR in Cr.No. 320/2023 for the offences u/s. 294(b), 323, 506(i) of the IPC. He further deposed that LW9 took this case for investigation and went to the place of occurance and prepared **Ex.P:3** observation mahazar and a rough sketch **Ex.P:4** in the presence of witnesses LW6 Maithili and LW7 Karuppusamy. He further deposed that after the investigation was conducted and the statements of witnesses were recorded, the accused was arrested and released on station bail, upon completion of investigation the final charge sheet against the accused was filed for the offences under Sections 294(b), 323, 506(i) of IPC.

#### **(6). EXAMINATION OF THE ACCUSED:**

Upon the closure of the prosecution evidence, the accused was 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 the accused denied his complicity with the crime. The Accused stated that he has no defence witness to be examined and Exhibits on his side, hence defense side evidence is closed.

(7). 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:4 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 defense counsel has argued that false case had been foisted against the accused and the witnesses examined on the side of the 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 and hence the benefit of doubt may be given to the accused and the 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 him?**

**(10). DISCUSSION:**

(10.1). The prosecution case is that on 31.07.2023 at approximately 17:00 hours, PW1 Mrs. Sarasal, who have been collecting neem seeds at the land belonging to Durai Gounder, located at Mappillai Goundan Kuttai the accused abused PW1 Mrs. Sarasal in filthy language at public place. Furthermore, the accused assaulted the PW1 and LW2 using hands and stick and the accused threatened them with dire consequences and hence, the accused is liable to be punished.

(10.2). In order to prove the prosecution case, the prosecution cited LW1 to LW10 as the witness in this case. The prosecution examined the defacto complainant LW1 as PW1. She deposed in his evidence that two years ago, the

accused abused and assaulted PW1 and PW2 and further deposed that a the complaint was lodged by her out of suspicion and turned hostile to the prosecution case. Further, the prosecution examined the Hearsay witness LW3 and LW4 as PW2 and PW3. They deposed in their evidence that a compromise has been reached between them and the accused and hence, they were declared as hostile witnesses and cross examined by the prosecution. The learned Assistant Public Prosecutor for the State have cross examined PW1, PW2 and PW3 after obtaining permission from the court, even then PW1, PW2 and PW3 not supported the case of the prosecution in any way. Further, on the side of the prosecution, LW2, LW5 to LW10 were dispensed and even though they were examined as witnesses, no fruitful thing will happen in this case.

**(10.3). The Hon'ble Supreme Court in Sidhartha Vashisht @ Manu Sharma Vs State 2010 Vol.6 SCC 1**

***“Court must consider surrounding circumstances, medical evidence and consistency even when witnesses turned hostile”***

The principle squarely applicable to our present facts of this case. But, apart from PW1, PW2 and PW3 no other evidence available to incriminate the accused in this case. The evidence of PW4 is official in nature.

**(10.4). Hon'ble Supreme Court in Satish Mehra v Delhi Administration & Anr.(decided on 31.7.1996) as per which the time of the court should not be wasted merely for completion of procedure, where there is no chance of the trial culminating into a conviction.** The star witness who set the law into motion/victim in this case turned hostile.

**(10.5).** In this case, PW4 deposed about the registration of FIR, arrest and filing of final report against the accused. It all shows that is only official in nature and no way connected with the crime and the accused. Therefore the evidence of PW1 to PW4 have absolutely lost their credibility and not corroborated the evidence and not supported the prosecution case.

**(10.6).** 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 turned hostile. On carefully weighing the evidence of prosecution, this court finds that there is no sufficient material, incriminating the accused for the offence under sections 294(b), 323, 506(i) of IPC. Considering the facts and circumstances above, this court is of the considered view that the offence charged against the accused under sections 294(b), 323, 506(i) of IPC is not proved beyond all reasonable doubts.

**(11).** The prosecution has not established the charges against the accused under sections 294(b), 323, 506(i) of IPC beyond reasonable doubt. Hence, the accused is entitled to the benefit of doubt.

**(12).** In the result, the accused found not guilty for the offence under sections 294(b), 323, 506(i) of IPC and the accused is acquitted under section 248(1) of Cr.P.C. The bail bonds of the accused stands canceled after appeal (or) appeal period.

**(13).** No case property had been produced and hence, no order for case property.

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 22<sup>th</sup> day of June 2026.

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

**As per the Judgment of the Hon'ble Supreme Court of India in Manoj Bhai Jetha Bhai Parmar Vs State of Gujarat 2025 INSC 143 dated 15.12.2025, the appendix is added :-**

**List of prosecution side witnesses Examined:**

| Prosecution Witness No. | Name of Witness                                   | Description           |
|-------------------------|---------------------------------------------------|-----------------------|
| 01.                     | Mrs. Sarasal                                      | Defacto complainant   |
| 02.                     | Mr. Karuppusamy                                   | Hearsay Witness       |
| 03.                     | Mrs. Kanniyammal                                  | Hearsay Witness       |
| 03.                     | Mr. Navaneetha Krishnan, the Inspector of Police. | Investigating Officer |

**List of prosecution side Exhibited Documents:**

| Sl.No. of the exhibits | Description of the exhibit and its date      | Date, when the exhibit was filed in the case | How marked | Proved by / attested by | Remarks  |
|------------------------|----------------------------------------------|----------------------------------------------|------------|-------------------------|----------|
| 01.                    | Signature of PW1 on Report dated 04.08.2023. | 17.06.2026                                   | Ex.P:1     | PW1                     | Original |
| 02.                    | First Information report dated 04.08.2023.   | 18.06.2026                                   | Ex.P:2     | PW4                     | Original |
| 03.                    | Observation Mahazar dated 05.08.2023.        | 18.06.2026                                   | Ex.P:3     | PW4                     | Original |
| 04.                    | Rough Sketch dated 05.08.2023.               | 18.06.2026                                   | Ex.P:4     | PW4                     | Original |

**Prosecution side material objects:-**

| Material Object No. | Description of the Exhibit | Proved by / Attested by |
|---------------------|----------------------------|-------------------------|
| 01.                 | Nil                        | 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 was on bail during the trial period.
- 2.No witnesses was detained for more than 3 hearings.
- 3.The result of the case informed to the police.

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