

**IN THE COURT OF THE JUDICIAL MAGISTRATE No.II, AT
CHENGALPATTU**

Present:- Tmt. S. Sahaana, M.A., M.L., MA.,

Judicial Magistrate No.2, Chengalpattu.

Wednesday, the 18th day of March 2026

C.C.No. 130 of 2016

State Represented by
Sub Inspector of Police,
Chengalpattu Taluk Police Station.
(Cr. No.215/2016)

.... Complainant

-vs-

Vicky @ Vignesh, aged about 22 years,
S/o. Gopinath

.... Accused

This case came up for final hearing on 18.03.2026 in the presence of Learned Assistant Public Prosecutor Grade I for Complainant and M/s. D. Kaviyarasu, Hariharan, Learned Counsels for the accused. Upon hearing both side arguments and upon perusing the records and having stood over till this day for the consideration of this Court, this Court delivered the following:-

**(As per Circular of the Hon'ble High Court, Madras in
ROC.No.814/2020/RG/F1, dated 07.04.2021)**

Complaint	State Represented by Sub Inspector of Police, Chengalpattu Taluk Police Station. (Cr. No.215/2016)
Accused	Vicky @ Vignesh, aged about 22 years, S/o. Gopinath
The period of remand of the accused	28.05.2016 and 23.12.2025
The date of filing of the complaint/final report in the Court	30.06.2016
The date of committal of the case of the Court of Session	NIL
The date of charges was framed as against the accused under section 240 of	25.02.2026

Cr.P.C.	
Filing of all miscellaneous petitions and their results including the results on the challenge before superior Courts; except routine petitions like petitions under section 317 of the Code.	NIL
Date of Examination in chief and cross-examination of witnesses.	PW. 1 – 25.02.2026 PW. 2 – 27.02.2026
Date of Examination of the accused under section 313(1)(b) of the Code	06.03.2026
Date of absconding of an accused and appearance/production, as the case may be;	NIL
Offence	Section 294(b), 506(ii) of IPC
Charges framed	Section 294(b), 506(ii) of IPC
Plea of the Accused	Not guilty
Finding	Accused is found not guilty for an offence punishable under Section 294(b), 506(ii) of IPC
Sentence	Accused is acquitted under Section 248(1) Cr.P.C.

JUDGMENT

1. The accused stands charged in Crime No. 215/2016 for having committed offences punishable u/s. 294(b), 324, 506(ii) of IPC.

2. Brief averment of the Police report:

On 08.05.2016 at 11.00 hours, the accused came to know that the defacto complainant lodged a complaint and so, he uttered obscene words towards the defacto complainant and threatened with dire consequences. Subsequently, a complaint was lodged in Chengalpattu Taluk Police station and a FIR was registered in Cr. No. 215/2016 for offences u/s. 294(b) 506(ii) of IPC as against Accused.

3. On filing the Final Report U/s.173 Cr.P.C. before this Court, cognizance was taken against the accused and the same was taken on file as C.C. No.130 of 2016, for

offences u/s. 294(b), 506(ii) of IPC. The Summon was served to the accused. Subsequent, to the appearance of the accused, copies of relevant prosecution records were furnished as per section 207 of the Criminal Procedure Code.

4. On perusal of the material records, this court has considered that a prima facie case was made out against the accused, to proceed further. Hence, the accused was charged for offence punishable u/s. 294(b), 506(ii) of IPC. However, the accused has pleaded innocence and claimed to be tried by this Court as it is a false case foisted against him.

5. On commencement of trial, the prosecution had examined PW.1, PW.2. Exhibits P.1 to P.8 were marked. MO.1 was marked.

6. The case of the Prosecution case as it was unravelled by the witnesses before this Court is as follows: -

PW. 1 – Thiru. Prakash deposed in his evidence that the appeared accused is from his village. Ten years ago, he could not recollect date and month, there was a festival at his village, there were more than 20 people. Someone attacked him and the appeared accused was there. On suspicion, he lodged a complaint. At present, they have compromised and he does not proceed with the case. The signature in the complaint is his and it is marked as Ex.P.1. The Police did not enquire him.

PW. 2 - Thiru. Venkatesan, Sub Inspector of Police, on perusal of records, he deposed in his evidence that on 08.05.2016, the defacto complainant appeared and lodged a complaint and F.I.R. was registered in Crime No. 215/2016 offences U/s. 294(b), 506(ii) of IPC. The complaint and FIR was marked as Ex.P.2 and E.P3 respectively. Then, proceeded to the scene of occurrence and prepared observation mahazar and rough sketch in the presence of the witnesses Annadurai and Suresh and recorded their statements. The Observation mahazar and Rough sketch is marked as Ex.P.4 and Ex.P.5 respectively. The witnesses No.1 to 5 were examined and recorded their statements separately. On 28.05.2016, the accused was arrested and the voluntary confession of the accused was recorded in the presence of witnesses

Manikandan and Pavitrakumar and obtained their signatures. The admissible portion of the confession is marked as Ex.P.6. A knife was seized from the accused from the presence of the above said witnesses through seizure mahzar. The seizure mahazar is marked as Ex.P.7. The seized property was produced before the Court through Form 95. Form 95 is marked as Ex.P.8. The knife is marked as MO.1. After completion of the Investigation, the final report has been filed as against the accused.

7. When the accused was questioned on 06.03.2026, U/s. 313(1)(b) of Cr.P.C. about the incriminating circumstances available against him, he denied the same to be false. Further, mentioned that no evidence on his side.

8. Heard on both sides and perused the material records produced before this Court.

9. Points for determination:

The point for consideration is whether the accused was guilty of offences punishable, U/s. 294(b), 506(ii) of IPC and whether the prosecution has proved their case beyond a reasonable doubt?

10. Discussion:

The Learned Assistant Public Prosecutor argued that the accused has committed an offence punishable U/s. 294(b), 506(ii) of IPC and the prosecution proved the case beyond all reasonable doubt, hence accused may be dealt with accordance with law.

11. Per contra, the accused counsel contended that the accused has not committed any offence, the prosecution has not proved the case beyond all reasonable doubts, accused is innocent, hence, the accused may be acquitted from this case.

12. Heard. Records perused. On perusal of records, it reveals that the fact of the prosecution case is that on 08.05.2016 at 11.00 hours, the accused came to know that the defacto complainant lodged a complaint and so, he uttered obscene words towards the defacto complainant and threatened with dire consequences. Hence, the accused was charged for an offence punishable u/s. 294(b), 506(ii) of IPC.

13. On the prosecution side PW1, PW2 witnesses were examined through the evidence Ex.P1 to Ex.P8 were marked. MO.1 was marked.

14. PW1 namely Prakash who is defacto complainant and as well as the alleged victim in this case, deposed in his evidence that the appeared accused is from his village. Ten years ago, he could not recollect date and month, there was a festival at his village, there were more than 20 people. Someone attacked him and the appeared accused was there. On suspicion, he lodged a complaint. At present, they have compromised and he does not proceed with the case. The signature in the complaint is his and it is marked as Ex.P.1. The Police did not enquire him. Further, it reveals that PW1 did not depose the case of Prosecution and therefore, the evidence of PW1 is not taken into consideration as against the accused. Ex.P.1 – Signature in the Complaint is also not taken into consideration as against the accused.

15. PW2 namely Thiru. Venkatesan, Sub Inspector of Police, on perusal of records, he deposed in his evidence that on 08.05.2016, the defacto complainant appeared and lodged a complaint and F.I.R. was registered in Crime No. 215/2016 offences U/s. 294(b), 506(ii) of IPC. The complaint and FIR was marked as Ex.P.2 and E.P3 respectively. Then, proceeded to the scene of occurrence and prepared observation mahazar and rough sketch in the presence of the witnesses Annadurai and Suresh and recorded their statements. The Observation mahazar and Rough sketch is marked as Ex.P.4 and Ex.P.5 respectively. The witnesses No.1 to 5 were examined and recorded their statements separately. On 28.05.2016, the accused was arrested and the voluntary confession of the accused was recorded in the presence of witnesses Manikandan and Pavitrakumar and obtained their signatures. The admissible portion of the confession is marked as Ex.P.6. A knife was seized from the accused from the presence of the above said witnesses through seizure mahzar. The seizure mahazar is marked as Ex.P.7. The seized property was produced before the Court through Form 95. Form 95 is marked as Ex.P.8. The knife is marked as MO.1. After completion of the Investigation, the final report has been filed as against the

accused. On going through the records, it reveals that since, the evidence of PW1 is not taken into consideration as against the accused, at this juncture, the evidence of PW2 – Thiru. Venkatesan, Sub Inspector of Police, alone is not taken into consideration as against the accused. Ex.P.2 to Ex.P8, MO.1 are not taken into consideration as against the accused.

16. In the above-said circumstances, the prosecution witnesses have not clearly tendered the evidence in order to incriminate the accused for the charges levelled against him. Thus, there is no evidence that the accused has committed the alleged offence. Hence, the prosecution has not proved, that if the accused has committed an offence punishable U/s. 294(b), 506(ii) of IPC in this case, the prosecution has not proved the case beyond all the reasonable doubts against the accused and the court is inclined to give the benefit of doubt to the accused, hence the accused is entitled to an acquittal from this case.

17. In the result, the accused is found not guilty for an offence punishable u/s. 294(b), 506(ii) of IPC, since the prosecution has not proved the case as against the accused. Hence this Court is inclined to give benefit of the doubt to the accused and the accused is hereby acquitted u/s. 248(1) Cr.P.C. of the above said charges with which he stands charged.

18. The bail bond of the accused shall stand cancelled.

19. The Propert Mo.1 Knife, in PI.No.138/2016 is ordered to be deestroyed after appeal time.

Dictated to the Typist directly, typed by her, corrected and pronounced by me on this 18th day of March 2026.

**Judicial Magistrate No.II,
Chengalpattu.**

I. List of Prosecution side witnesses:

- 1. PW. 1 - Prakash**
- 2. PW. 2 - Venkatesan**

II. List of Documents on the side of Prosecution:

- 1. Ex.P. 1 - The signature in the complaint**
- 2. Ex.P. 2 - Complaint**
- 3. Ex.P. 3 - First Information Report**
- 4. Ex.P. 4 - Observation mahazar**
- 5. Ex.P. 5 - Rough sketch**
- 6. Ex.P. 6 - The admissible portion of the confession**
- 7. Ex.P. 7 - Seizure mahazar**
- 8. Ex.P. 8 - Form 95**

III. List of Material Objects: MO.1 - Knife

IV. Defence side witnesses and Defence side Exhibits: Nil.

**Judicial Magistrate No.II,
Chengalpattu.**