

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

**Present:- Tmt. S. Sahaana, M.A., M.L., MA.,
Judicial Magistrate No.II, Chengalpattu.
Wednesday, the 18th day of March 2026
C.C.No. 289 of 2026**

Union of India
represented by Inspector
Railway Protection Force Southern Railway
Chengalpattu

.... Complainant

-vs-

A. Sivakumar, aged about 42 years,
S/o. M. Annadurai

.... 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. N. Madankumar, Legal Aid Defense Counsel 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	Union of India represented by Inspector Railway Protection Force Southern Railway Chengalpattu
Accused	A. Sivakumar, aged about 42 years, S/o. M. Annadurai
The period of remand of the accused	30.12.2025
The date of filing of the complaint/final report in the Court	02.03.2026
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 263 of	10.03.2026

BNSS.	
Filing of all miscellaneous petitions and their results including the results on the challenge before superior Courts; except routine petitions like petitions under section 355 of BNSS.	NIL
Date of Examination in chief and cross-examination of witnesses.	PW. 1 – 10.03.2026
Date of Examination of the accused under section 351(1)(b) of the BNSS	13.03.2026
Date of absconding of an accused and appearance/production, as the case may be;	NIL
Offence	Section 153 of RA Act 1989
Charges framed	Section 153 of RA Act 1989
Plea of the Accused	Not guilty
Finding	Accused is found guilty for an offence punishable under Section 153 of RA Act 1989
Sentence	Accused is convicted U/s. 271(2) BNSS and sentenced to undergo simple imprisonment of 2 months. The Period of imprisonment from 30.12.2025 to 18.03.2026 is ordered to be set off as per section 468 BNSS.

JUDGMENT

1. The accused stands charged in Crime No. 429/2025 for having committed offences punishable u/s. 153 of RA Act 1989.

2. Brief averment of the Police report:

On 27.09.2025, at 13.30 hours at Chengalpattu Railway station, received information that Vandhe Bharath Train No. 20666, a stone was thrown at C4 Seat No. 43, the window was damaged. On 30.12.2025, at KM62/200 AT Chengalpattu

Railway station, the confession of the accused was recorded. The accused committed the offence of endangering safety of persons travelling by railway by wilful act. Subsequently, a complaint was lodged in Railway Protection Force and a FIR was registered in Cr. No. 429/2025 for offences u/s. 153 of RA Act 1989 as against Accused.

3. On filing the Final Report U/s. 193 BNSS before this Court, cognizance was taken against the accused and the same was taken on file as C.C. No.289 of 2026, for offences u/s. 153 of RA Act 1989. The Summon was served to the accused. Subsequent, to the appearance of the accused, copies of relevant prosecution records were furnished as per section 230 of BNSS.

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 charges were framed by this Court as against the accused u/s. 153 of RA Act 1989. The charges thus framed were read over and explained to the accused. 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. Exhibits P.1 to P.5 were marked.

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

PW. 1 - Thiru. Unnikrishnan, Inspector of Police deposed in his evidence that on 27.09.2025, at 13.30 hours at Chengalpattu Railway station, received information that Vandhe Bharath Train No. 20666, a stone was thrown at C4 Seat No. 43, the window was damaged. The information is marked as Ex.P.1. Based upon information, FIR was registered in Cr.No.429/2025 for offence U/s. 153 of RA Act 1989. FIR is marked as Ex.P.2. On 30.12.2025, at KM62/200 at Chengalpattu Railway station, Gunasekar and Pandiyan, Police Constables and himself were on confidential watch, the accused was enquired and the voluntary confession of the accused was recorded in the presence of the above said witnesses. The admissible

portion of the confession is marked as Ex.P.3. Then, he proceeded to the scene of occurrence and prepared two observation mahazar in the presence of above said witnesses. Observation mahazar are marked as Ex.P.4. Then, he received value of the property from SSE. The missing report is marked as Ex.P.5. The accused was remanded to judicial custody. Then, examined all the witnesses and recorded their statements separately. After completion of the Investigation, the final report has been filed as against the accused.

7. When the accused was questioned on 13.03.2026, U/s. 351 (1)(b) of the BNSS, 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. 153 of RA Act 1989 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. 153 of RA Act 1989 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 27.09.2025, at 13.30 hours at Chengalpattu Railway station, received information that Vandhe Bharath Train No. 20666, a stone was thrown at C4 Seat No. 43, the window was damaged. On 30.12.2025, at KM62/200 at Chengalpattu Railway station, the confession of the accused was recorded. The accused committed the offence of endangering safety of persons travelling by railway

by wilful act. Hence, the accused was charged with an offence punishable u/s. 153 of RA Act 1989.

13. On the prosecution side PW1 was examined through the evidence Ex.P.1 to P.5 were marked.

14. On going through the evidence of PW1 namely Unnikrishnan, Inspector of Police and Ex.P.1 – Information and EX.P.2 - FIR, it reveals that on 27.09.2025, at 13.30 hours at Chengalpattu Railway station, received information that Vandhe Bharath Train No. 20666, a stone was thrown at C4 Seat No. 43, the window was damaged and FIR was registered in Cr.No.429/2025 for offence punishable U/s. 153 RA Act 1989. On going through the evidence of PW1 and Ex.P.4 – Observation Mahazar, on 30.12.2025, at KM62/200 at Chengalpattu Railway station, the accused was arrested. Further, it reveals that the PW1 identifies the accused.

15. In the above-said circumstances, the prosecution witnesses have clearly tendered the evidence in order to incriminate the accused for the charges levelled as against him. Hence, the Prosecution has proved that the accused has committed an offence punishable U/s. 153 RA Act 1989 in this case, the prosecution has proved the case beyond all reasonable doubts as against the accused. Hence, the accused is convicted for an offence punishable U/s. 153 RA Act 1989.

And when the Accused person was questioned about the sentence likely to be imposed against him:

The Accused persons said : "குறைந்தபட்ச தண்டனை கொடுக்க வேண்டும்"

16. In the result, the accused is found guilty and convicted U/s. 271(2) BNSS for offence punishable U/s. 153 RA Act 1989 and since, the Accused is in judicial custody, first time offenders and from poor background and considering his future, accused is sentenced to undergo simple imprisonment for a period of 2 months. The Period of imprisonment from 30.12.2025 to 18.03.2026 is ordered to be set off as per section 468 BNSS.

17. The bail bond executed by the accused stands cancelled after the 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 - Thiru. Unnikrishnan

II. List of Documents on the side of Prosecution:

1. Ex.P. 1 - Information

2. Ex.P. 2 - First Information Report Complaint

3. Ex.P. 3 - The admissible portion of the confession

4. Ex.P. 4 - Observation mahazar

5. Ex.P. 5 - Missing report

III. List of Material Objects: Nil

IV. Defence side witnesses and Defence side Exhibits: Nil

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