

**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 18<sup>th</sup> day of March 2026  
C.C.No. 231 of 2026**

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

.... Complainant

-vs-

Karthick, aged about 41 years,  
S/o. Subramani (Late)

.... 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. Karpagam, Learned 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)**

<b>Complaint</b>	Union of India represented by Inspector Railway Protection Force Southern Railway Tambaram
Accused	Karthick, aged about 41 years, S/o. Subramani (Late)
The period of remand of the accused	10.01.2026
The date of filing of the complaint/final report in the Court	26.02.2026
The date of committal of the case of the Court of Session	NIL
The date of charges was framed as	12.03.2026

against the accused under section 263 of 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 – 12.03.2026
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 3(a) of RP(UP) Act 1966
Charges framed	Section 3(a) of RP(UP) Act 1966
Plea of the Accused	Not guilty
Finding	Accused is found guilty for an offence punishable under Section 3(a) of RP(UP) Act 1966
Sentence	Accused is convicted U/s. 271(2) BNSS and sentenced to undergo simple imprisonment of 2 months. The Period of imprisonment from 10.01.2026 to 18.03.2026 is ordered to be set off as per section 468 BNSS.

### **JUDGMENT**

1. The accused stands charged in Crime No. 2/2026 for having committed offences punishable u/s. 3(a) of RP(UP) Act 1966.

#### **2. Brief averment of the Police report:**

On 10.01.2026, the 2.00 hours at Tambaram Railway station, they noticed an outsiders namely Karthick in suspicious manner carrying one white colour Polythene

bag and 1/2 kg copper cable. The same was seized through seizure mahazar and the confession of the accused was also recorded. The accused committed the offence of theft of railway property. Subsequently, a complaint was lodged in Railway Protection Force and a FIR was registered in Cr. No.2/20256 for offences u/s. 3(a) of RP(UP) Act 1966 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.231 of 2026, for offences u/s. 3(a) of RP(UP) Act 1966. 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. 3(a) of RP(UP) Act 1966. 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.7 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. Iyyappan, Assistant Sub Inspector of Police deposed in his evidence that on 10.01.2026, at 2.00 hours, Tambaram Railway station, Sathiyakumar, Vijayakumar, Police Constables and himself were on confidential watch, one person was carrying one yellow colour and green colour Polythene bag with 1/2 kg copper cables and the same were seized through seizure mahazar in the presence of the above mentioned Police constables. The seizure mahazar is marked as Ex.P.1. The Accused voluntarily gave confession and the same was recorded in the presence of the above said witnesses. 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.2 and Ex.P.3. Then, he registered case as against accused in Cr.No. 2/2026 for offence U/s. 3(a) RP(UP) Act. FIR is marked as Ex.P.4. The seized property was produced before the Court through Form 95. Form 95 is marked as Ex.P.5 1/2 kg copper cables is marked as MO.1. Then, he received missing report from SSE Telecommunication. The missing report is marked as Ex.P.6 and the report is marked as Ex.P.7. 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. 3(a) of RP(UP) Act 1966 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. 3(a) of RP(UP) Act 1966 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 10.01.2026, the 2.00 hours at Tambaram Railway station, they noticed an outsiders namely Karthick in suspicious manner carrying one white colour Polythene bag and 1/2 kg copper cables. The same was seized through seizure mahazar and the confession of the accused was also recorded. The accused

committed the offence of theft of railway property. Hence, the accused was charged with an offence punishable u/s. 3(a) of RP(UP) Act 1966.

13. On the prosecution side PW1 was examined through the evidence Ex.P.1 to P.7 were marked. MO.1 was marked.

14. On going through the evidence of PW1 namely Iyyappan, Sub Inspector of Police, it reveals that on 10.01.2026, at 2.00 hours, PW1 along with Sathiyakumar, Vijayakumar, Police Constables were on confidential watch. On going through Ex.P.1 – Seizure mahazar, further, it reveals that on 10.01.2026, 1/2 kg copper cables which are railway property were seized through seizure mahazar from accused. On going through Ex.P.2, Ex.P.3 – Two Observation mahazar, it reveals that the alleged scene of occurrence from where the 1/2 kg copper cables were placed. Further, it reveals that the PW1 identifies the accused and the MO.1- 1/2 kg copper cables. On going through the evidence of PW1 and Ex.P.6 – Missing report, it reveals that 1/2 kg copper cable which were seized from the accused in the presence of witnesses were of Railway property.

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. 3(a) of RP(UP) Act 1966 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. 3(a) of RP(UP) Act 1966.

**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. 3(a) of RP(UP) Act 1966 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 10.01.2026 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.

18. The Property in PI.NO.31/2026 MO.1 - 1/2 kg copper cable, returned to the Custodian of the property and the same is ordered to be retained.

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

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

**I. List of Prosecution side witnesses:**

**1. PW. 1 - Thiru. Iyyappan**

**II. List of Documents on the side of Prosecution:**

- 1. Ex.P. 1 - Seizure mahazar**
- 2. Ex.P. 2 - Observation mahazar**
- 3. Ex.P. 3 - Observation mahazar**
- 4. Ex.P. 4 - First Information Report**
- 5. Ex.P. 5 - Form 95**
- 6. Ex.P. 6 - Missing report**
- 7. Ex.P. 7 - Report**

**III. List of Material Objects: MO.1 - 1/2 kg copper cable**

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

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