

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

**Present:- Tmt. S. Sahaana, M.A., M.L., MA.,  
Judicial Magistrate No.II, Chengalpet.  
Wednesday, the 25<sup>th</sup> day of March 2026  
C.C.No. 230 of 2026**

Union of India  
represented by Asst. Sub-Inspector  
Railway Protection Force  
Southern Railway  
Tambaram

.... Complainant

-vs-

Balamurugan, aged about 24 years,  
S/o. GopalaKrishnan

.... Accused

This case came up for final hearing on 24.03.2026, in the presence of Learned Assistant Public Prosecutor Grade I for Complainant and M/s. D.Karpagam, M.Dinesh, 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	Union of India represented by Asst. Sub-Inspector Railway Protection Force Southern Railway Tambaram
Accused	Balamurugan, aged about 24 years, S/o. GopalaKrishnan
The period of remand of the accused	13.01.2026 to 28.01.2026
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 against the accused under section 263 of BNSS.	12.03.2026
Filing of all miscellaneous petitions and	NIL

their results including the results on the challenge before superior Courts; except routine petitions like petitions under section 355 of BNSS.	
Date of Examination in chief and cross-examination of witnesses.	PW. 1 – 23.03.2026
Date of Examination of the accused under section 351(1)(b) of the BNSS	24.03.2026
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 pay fine of Rs. 2000/- in default to undergo simple imprisonment of one month.

### **JUDGMENT**

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

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

On 13.01.2026, the 2.00 hours at Singaperumal Koil Railway station, they noticed an outsider namely Balamurugan in suspicious manner carrying 10 railway Pantrol clips. 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, Tambaram and a FIR was registered in Cr. No. 3/2026 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. 230 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.9 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. Karthick, Assisstant Sub Inspector of Police deposed in his evidence that on 13.01.2026, at 2.00 hours, Singaperumal Koil Railway station, Mahendiran, Asst. Sub Inspector of Police, Krishnamoorthi, Police Constable and himself were on confidential watch, one person was carrying one bag with 10 pantrol clips and the same were seized through seizure mahazar in the presence of the above mentioned Police. 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 occurance and prepared four observation mahazar in the presence of above said witnesses. Four Observation mahazar is marked as Ex.P.2 to Ex.P.5 respectively. Then, he registered case as against accused in Cr.No. 3/2026 for offence U/s. 3(a) RP(UP) Act. FIR is marked as Ex.P.3. Then, the seized property was produced before the Court through Form 95 and Form 95 is marked as Ex.P.7. 10 Pantrol clips were marked as MO.1. The value of the property was obtained from SSE. The certificate is marked as Ex.P.8. The

missing report is marked as Ex.P.9. After completion of the Investigation, the final report has been filed as against the accused.

7. When the accused was questioned on 24.03.2026 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 13.01.2026, the 2.00 hours at Singaperumal Koil Railway station, they noticed an outsider namely Balamurugan in suspicious manner carrying 10 railway Pantrol clips. 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.9 were marked. MO.1 was marked.

14. On going through the evidence of PW1 namely Karthick, Asst. Sub Inspector of Police, it reveals that on 13.01.2026, at 2.00 hours, PW1 - Karthick, Sub Inspector of Police along with Mahendiran, Asst. Sub Inspector of Police and Krishnamoorthi,

Police Constable were on confidential watch. On going through Ex.P.1 – Seizure mahazar, further, it reveals that on 13.01.2025, 10 pantrol clips which are railway property were seized through seizure mahazar from accused. On going through Ex.P.2 to Ex.P.5 – Four Observation mahazars, it reveals that the alleged scene of occurrence from where the 10 pantrol clips were placed. Further, it reveals that the PW1 identifies the accused and the MO.1- 10 Pantrol clips. On going through the evidence of PW1 and Ex.P.6 – FIR, it reveals that 10 pantrol clips 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 A1 is in judicial custody, first time offenders and from poor background and considering their future, accused is sentenced to pay fine of Rs. 2000/- in default to undergo simple Imprisonment of 1 month.**

17. The bail bond executed by the accused stands cancelled after the appeal time.

18. The Property in PI.NO. 32/2026 MO.1 – 10 Pantrol Clips were 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 25<sup>th</sup> day of March 2026.**

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

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

**1. PW. 1 - Thiru. Karthick, Assistant Sub Inspector.**

**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 - Observation Mahazar**
- 5. Ex.P.5 - Observation Mahazar**
- 6. Ex.P.6 - First Information Report**
- 7. Ex.P.7 - Form 95**
- 8. Ex.P.8 - Certificate**
- 9. Ex.P.9 - Missing Report**

**III. List of Material Objects: MO.1- 10 Pantrol Clips**

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

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