

**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.**

Tuesday, the 09th day of June 2026

C.C.No. 672 of 2026

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

.... Complainant

-vs-

V. Allimuthu, aged about 25 years,
S/o. Varadan

.... Accused

This case came up for final hearing on 09.06.2026 in the presence of Learned Assistant Public Prosecutor Grade I for Complainant and M/s. P. Dhanasekaran, 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	V. Allimuthu, aged about 25 years, S/o. Varadan
The period of remand of the accused	26.03.2026
The date of filing of the complaint/final report in the Court	05.05.2026
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	06.05.2026

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 – 07.05.2026 PW. 2 – 20.05.2026 PW. 3 – 03.06.2026 PW. 4 – 03.06.2026
Date of Examination of the accused under section 351(1)(b) of the BNSS	04.06.2026
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 26.03.2026 to 09.06.2026 is ordered to be set off as per section 468 BNSS.

JUDGMENT

1. The accused stands charged in Crime No. 88/2026 for having committed offences punishable u/s. 153 of RA Act 1989.

2. Brief averment of the Police report:

On 12.02.2026, at 20.51 hours at Chengalpattu Railway station, received information that Loco Pilot Train No. 12661, a stone pelting at KM 61/14, the stone

hit engine, but there was no damage. On 25.03.2026, at Southern yard of 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. 88/2026 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. 672 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 to PW4. Exhibits P.1 to P.4 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. Rajkumar, Assistant Sub Inspector of Police deposed in his evidence that on 12.02.2026, at 20.51 hours at Chengalpattu Railway station, received information that Train No. 12661, a stone was thrown at Train engine. A case was registered in Cr.No. 88/2026 for offence U/s. 153 of RA Act 1989. FIR is marked as Ex.P.1. On 25.03.2026, 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. 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. Then, the accused was remanded to judicial custody. Then, the case records were handed over to the Assistant Sub Inspector of Police.

PW.2 - Thiru. Ganesan, Inspector of Police deposed in his evidence that on 27.03.2026, after receiving the case records, examined the witnesses and prepared statements. After completion of the Investigation, the final report has been filed as against the accused.

PW. 3 - Thiru. Ranjithkumar deposed in his evidence that in the February 2026, at 6.30 PM, at Chengalpattu Home signal, the appeared accused was pelting stones. He informed the Police. The 1st signature in the Confession is his and it is marked as Ex.P.3. The Police enquired him.

PW.4 - Thiru. Jeyaprakash deposed in his evidence that in the year 2026, at night time, at Chengalpattu railway station, the appeared accused along with another person were there. The appeared accused stone pelted the train and he informed the Police. The 2nd signature in the Confession is his and it is marked as Ex.P.4. The Police enquired him.

7. When the accused was questioned on 04.06.2026, 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 12.02.2026, at 20.51 hours at Chengalpattu Railway station, received information that Loco Pilot Train No. 12661, a stone pelting at KM 61/14, the stone hit engine, but there was no damage. On 25.03.2026, at Southern yard of 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 to PW4 were examined through the evidence Ex.P.1 to P.4 were marked.

14. On going through the evidence of PW1 namely Rajkumar and PW2 - Ganesan, and Ex.P.1 – FIR, it reveals that on 12.02.2026, at 20.51 hours at Chengalpattu Railway station, received information that Train No. 12661, a stone was thrown at Loco pilot train, there was no damage and FIR was registered in Cr.No. 88/2026 for offence punishable U/s. 153 RA Act 1989. On going through the evidence of PW1, PW2 and Ex.P.2 – Observation Mahazar, on 25.03.2026, at Chengalpattu Railway station, the accused was arrested. Further, it reveals that the PW1, PW2 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 26.03.2026 to 09.06.2026 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 09th day of June 2026.

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

I. List of Prosecution side witnesses:

Prosecution Witness No.	Name of Witness	Description
PW. 1	Rajkumar	To speak about the confessional statement, Observation Mahazar and arrest of the accused.
PW. 2	Ganesan	Investigation Officer (To speak about further enquiry and filling of complaint.
PW. 3	Ranjithkumar	To speak about the confessional statement, Observation Mahazar and arrest.
PW. 4	Jeyaprakash	To speak about the confessional statement, Observation Mahazar and arrest.

II. List of Documents on the side of Prosecution:

Exhibit No.	Description of the Exhibit	Proved by/Attested by
Ex.P.1	First Information Report	PW1
Ex.P.2	Observation mahazar	PW1
Ex.P.3	The 1st signature in the Confession Statement	PW3
Ex.P.4	The 2nd signature in the Confession Statement	PW4

III. List of Material Objects: Nil

IV. Defence side witnesses and Defence side Exhibits: Nil

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