

**IN THE COURT OF DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
UTHIRAMERUR**

Present: **Ms.R.KRITYA, B.A,L.L.B.,**
District Munsif cum Judicial Magistrate, Uthiramerur

On this the 15th day of April 2026

C.C.No. 13 of 2025

in

Crime No. 210 of 2024

(On the file of Perunagar Police Station, Kancheepuram)

State represented by,
Sub-Inspector of police,
Perunagar Police Station.

... Complainant.

Vs

Thirumal, Age 29 S/o. Murugan,
residing at No.1/148, Padasalai Street,
Visoor Village, Uthiramerur Taluk.

... Accused.

Statement as per Rule 106 of the Criminal Rules of Practice, 2019

1.	The period of Remand of the Accused	Anticipatory Bail on 25.09.2024 Order of Hon'ble Principal District and Sessions Judge, Kancheepuram in D.No. 1610/2024		
2.	The date of filing of Complaint/final report in the Court	Complaint - 18.09.2024 Final Report - 08.01.2025		
3.	Date of Committal of the case (Court of Session)	-NIL-		
4.	Date of Questioning the accused on the charges against him.	06.06.2025		
5.	Filing of all miscellaneous petitions and their results including the results on challenge before superior Courts except routine petitions like petitions under section 317 of the code.	-NIL-		
6.	Date of examination in chief and cross examination of a witness	WITNESS	CHIEF	CROSS
		PW-1	01.04.2026	01.04.2026
		PW-2	07.04.2026	07.04.2026

7.	Date of examination of the accused under section 313 of the Code	07.04.2026
8.	Details of abscondence of an accused and his appearance/Productions as the case may be: and NBW Pending/recalled	-NIL-
9.	Grant of stay by superior Courts and the results thereof	-NIL-
10.	Details of victim compensation Ordered	-NIL-

This case came up for final disposal on 07.04.2026 before this court in the presence of Assistant Public Prosecutor Grade-I for complainant and Mr. G. Kumar, Mr. P. Vasudevan, Advocates for Accused and upon perusing available material records and hearing arguments on both sides, and having stood over till this day for consideration, this court delivered the following:

JUDGMENT

1. According to the Sub-Inspector of Police, Perunagar Police Station, who filed the final report, that on 17.09.2024 at 8.15 PM, the accused abused the informant Murugan and attacked with a stone over his head and threatened him with dire consequence. Due to severe bleeding from the injury, he was admitted to Chengalpattu Government Hospital, and he gave Complaint statement. Thus, accused is liable to be punished under Section 296(b), 115(2), 118(2), 351(3) BNS.
2. On receipt of the final report along with the relevant records from the prosecution, this court has taken the case on file as C.C. No. 13 of 2025 under Sections 296(b), 115(2), 118(2), 351(3) BNS. The case was posted to 14-02-2025 for the appearance

of the accused. Upon the appearance of the accused, on that day i.e 02-05-2025 free copies was served to him under Section 230 of BNSS.

3. After giving sufficient opportunity to the accused and perusing the material records, and being satisfied that there is a prima facie case that the accused has committed an offence triable by this court, the charges were framed against the Accused for offences under Section 296(b), 115(2), 118(2), 351(3) BNS. These charges were read over and explained to him and the accused was questioned as respect to the charges so framed against him, he denied the same and claimed to be tried.
4. The prosecution, in proof of the above charges, examined PW-1 and PW-2 and marked Ex-P1 to Ex-P8.

The facts which are necessary for disposal, as per the prosecution, are briefly stated as follows:-

5. PW-1 was residing at Visoor Village. PW-1 is father of the accused. On 17.09.2024 at 8.15 PM, the accused abused the PW-1 and attacked with a stone over his head and threatened him with dire consequence. Due to severe injury, he admitted to Chengalpattu Government Hospital, and he given Complaint statement Ex-P2 before Special Sub Inspector Logeshwaran PW-2 on 18.09.2024.
6. On receipt of Ex-P2 on 18.09.2024 at 11:30 hrs the Special Sub Inspector PW-2 registered FIR Ex-P3 in Crime No. 210/2024 for offences under Section 296(b), 115(2), 118(1), 351(3) BNS. On the same day, he went to the place of occurrence,

prepared the observation mahazar Ex-P4, and the rough sketch Ex-P5 in the presence of witnesses Krishnamoorthi and Sivananandham. Afterwards, he examined the witnesses and recorded statements from LW-1 to LW-8. Accused was not remanded since he was granted Anticipatory Bail by Hon'ble Principal District and Sessions Court Kancheepuram. PW-2 examined the doctors and obtained the Accident Register and wound Certificate Ex.P6 and Ex-P7. Upon Ex-P7 the section were altered through alteration report Ex-P8. Upon completion of the investigation and being satisfied that the accused had committed the offence, PW-2 filed the final report against the accused for offences under Section 296(b), 115(2), 118(2), 351(3) of BNS.

7. After the examination of the prosecution witnesses, the accused were questioned under Section 313(1) of the Cr.P.C. with regard to the incriminating evidence appearing against him. He stated that the evidence of the prosecution witnesses is false. He had nothing more to say and did not choose to examine any defence witnesses.
8. After hearing the prosecution's case, the point that arises for determination is whether the prosecution has proved its case beyond all reasonable doubt and whether the accused is guilty of the offence under Section 296(b), 115(2), 118(2), 351(3) of BNS.

ARGUMENTS ADVANCED :

9. Arguments on the side of prosecution that the accused verbally abused PW-1 using filthy language, criminally intimidated him, attacked him with a stone to PW-1.

Further, the evidence of PW-1 and PW-2 and Ex-P1 to Ex-P8 establishes that the offence against accused for under Sec. 296(b), 115(2), 118(2), 351(3) of BNS.

10. The case of the defence is that the place of occurrence is not proved; that only interested witnesses were examined; and that there are contradictions in the evidence of PW-1 and PW-2 and hence, the charge against the accused has not been proved.

APPRECIATION OF EVIDENCE AND REASONING:

11. On perusal of evidence it is seen that PW-1, turned hostile to the prosecution case but PW-1 admitted his signature in the complaint statement and the same has been marked as Ex-P1. Other witness were dispensed by the Prosecution side. There is no evidence to prove the incident and the place of occurrence. The learned APP examined the investigating officer Mr. Logeshwaran as PW-2 and marked Ex-P2 to Ex-P8 through him. In the evidence PW-2 he has stated as to how he has conducted the investigation. PW-2 was chief examined on the side of prosecution, But PW-2 deposed only upon the document which did not lend any strength to prosecution case. PW-1 already turned hostile to the prosecution case. The accused entered into a compromise with PW-1. The evidence of PW-2 is not sufficient to come to the conclusion that the accused has committed the offences.
12. There is no iota of evidence to link the accused with the case. The evidence on the side of the prosecution is inconsistent and not cogent and it is quite unsafe to convict and sentence the accused based on such inconsistent and uncorroborated evidence. The prosecution has failed to prove its case beyond all reasonable doubt. Thus, this

court holds that the both accused found not guilty under Sec. 296(b), 115(2), 118(2), 351(3) of BNS.

DECISION:

13. In the result the accused Thirumal S/o. Murugan is found not guilty for the offence under Sec. 296(b), 115(2), 118(2), 351(3) of BNS. Hence the accused is acquitted under Sec.248(1) BNSS.
14. Bond if any executed by the accused shall stands cancelled.
15. No case property was seized and deposited to this Court in this case; hence, the need for this Court to pass property order as per section 452 of the Code of Criminal Procedure, 1973 does not arise.

Typed by me on my official laptop, corrected and pronounced by me in the Open Court on this the 15th day of April 2026.

District Munsif Cum Judicial Magistrate,
Uthiramerur.

Note:

- i. The accused were on bail throughout the trial.
- ii. No witness was retained more than three times.
- iii. The outcome of the case shall be forthwith communicated to the complainant and the learned APP of this Court vide email.

List of Prosecution witnesses:

P.W.1	..	Murugan
P.W.2	..	Logeshwaran (Special Sub Inspector)

List of Prosecution side exhibits:-

Ex.P1	..	Signature of PW-1 in Ex.P2
Ex.P2	..	Complaint Statement
Ex.P3	..	FIR
Ex.P4	..	Observation Mahazar
Ex.P5	..	Rough Sketch
Ex.P6	..	Accident Register
Ex.P7	..	Wound Certificate
Ex.P8	..	Alteration Report

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