

**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 12<sup>th</sup> day of March 2026

**C.C.No. 56 of 2025**

in

Crime No. 115 of 2024

(On the file of Uthiramerur Police Station, Kancheepuram)

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

... Complainant.

Vs

Sureshkumar, Age 38 S/o. Deenadayalan,  
residing at No.29, Mariyamman Koil Street,  
Paruthikollai 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 – 06.03.2024 order of Hon’ble Principal District and Sessions Judge, Kancheepuram.												
2.	The date of filing of Complaint/final report in the Court	Complaint - 20.02.2024 Final Report - 28.03.2025												
3.	Date of Committal of the case (Court of Session)	-NIL-												
4.	Date of Questioning the accused on the charges against him.	14.07.2025												
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	<table border="1"><thead><tr><th>WITNESS</th><th>CHIEF</th><th>CROSS</th></tr></thead><tbody><tr><td>PW-1</td><td>13.02.2026</td><td>13.02.2026</td></tr><tr><td>PW-2</td><td>13.02.2026</td><td>13.02.2026</td></tr><tr><td>PW-3</td><td>02.03.2026</td><td>02.03.2026</td></tr></tbody></table>	WITNESS	CHIEF	CROSS	PW-1	13.02.2026	13.02.2026	PW-2	13.02.2026	13.02.2026	PW-3	02.03.2026	02.03.2026
WITNESS	CHIEF	CROSS												
PW-1	13.02.2026	13.02.2026												
PW-2	13.02.2026	13.02.2026												
PW-3	02.03.2026	02.03.2026												

7.	Date of examination of the accused under section 313 of the Code	02.03.2026
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 02.03.2026 before this court in the presence of Assistant Public Prosecutor Grade-I for complainant and Mr. P. Adikesavan, Advocate 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, Uthiramerur Police Station, who filed the final report, that on 19.02.2024, Informant brother Sampath called his friend Accused Sureshkumar over the phone and called him for drink. Accused took his auto-rickshaw bearing registration number TN21 DJ 9651 and came to the saloon shop. The two of them closed the saloon shop and went in the auto to the Uthiramerur wine shop, where both drank alcohol. After drinking, Sampath came back alone to his shop. A short while later, Accused came to the saloon shop and called for Sampath to get more drink again. When told he denied the same, accused threatened him dire consequences and abuse filthy language and then pushed him, causing him to crash into the glass in the shop, which shattered and the accused

picked up a piece of the broken glass and stabbed him under his left armpit and on his left shoulder blade, causing simple injuries and threatened with dire consequences. Thus, accused is liable to be punished under Section 294(b), 324, 506(ii) of Indian Penal Code.

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. 56 of 2025 under Sections 294(b), 324, 506(ii) IPC. The case was posted to 19-05-2025 for the appearance of the accused. Upon the appearance of the accused, on the that day i.e 19-05-2025 free copies was served to him under Section 207 of Cr.P.C.
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 294(b), 324, 506(ii) of Indian Penal Code. 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 to PW-3 and marked Ex-P1 to Ex-P11.

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

5. PW-1 brother of PW-2. PW-2 and Accused are friend, PW-2 was running Saloon shop at Uthiramerur. On 19.02.2024, PW-2 called his friend Accused Sureshkumar over the phone and called him for drink. Accused took his auto-rickshaw bearing registration number TN21 DJ 9651 and came to the saloon shop. The two of them closed the saloon shop and went in the auto to the Uthiramerur wine shop, where both drank alcohol. After drinking, PW-2 came back alone to his shop. A short while later, Accused came to the saloon shop and called for PW-2 to get more drink again. When told he denied the same, accused threatened him with dire consequences and abused in filthy language and then pushed him, causing him to crash into the glass in the shop, which shattered and picked up a piece of the broken glass and stabbed him under his left armpit and on his left shoulder blade, causing simple injuries and threatened with dire consequences. PW-2 sustained injuries went to Chengalpattu government hospital and got treated and then PW-1 preferred complaint Ex-P2 before Sub Inspector Kothandaraman on 20.02.2024.
6. On receipt of Ex-P2 on 20.02.2024 at 07:30 hrs the Sub Inspector registered FIR Ex-P3 in Crime No. 115/2024 for offences under Section 294(b), 324, 307, 506(ii) IPC. 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 Karuna and Arumugam. Afterwards, he examined the witnesses and recorded statements from LW-1 to LW-11. Accused was not remanded since he was granted Anticipatory Bail by Hon'ble Principal District and Sessions Court Kancheepuram. Accused came to the police station in compliance to the bail condition, at the time accused voluntarily

stated confession statement Ex-P6 and accused identified the case property and seized the property Auto from the accused through Ex-P7, property sent to the court through Form 91 Ex-P8. Sub Inspector Kothandaraman examined the doctors and obtained the Accident Register Ex-P9 and wound Certificate Ex-P10 of PW-2. Upon Ex-P10 the section were altered through alteration report Ex-P11. Upon completion of the investigation and being satisfied that the accused had committed the offence, Kothandaraman, Sub Inspector of Police filed the final report against the accused for offences under Section 294(b), 324, 506(ii) of Indian Penal Code.

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 294, 324, 506(ii) of Indian Penal Code.

**ARGUMENTS ADVANCED :**

9. Arguments on the side of prosecution that the all accused verbally abused PW-2 using filthy language, criminally intimidated him, caused grievous hurt to PW-2. Further, the evidence of PW-1 to PW-3 and Ex-P1 to Ex-P11 establishes that the offence against accused for under Sec. 294(b), 324, 506(ii) of IPC.

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 to PW-3 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 and the same has been marked as Ex-P1. The Victim PW-2 also turned hostile to the case of prosecution. Since the complainant and Victim turned hostile, other witness dispensed with Prosecution side. There is no evidence to prove the incident and the place of occurrence. The learned APP examined the present officer Mr. Kothandaraman as PW-3 and marked Ex-P2 to Ex-P11 through him. In the evidence PW-3 he has stated that how he has conducted the investigation. PW-3 was chief examined on the side of prosecution, But PW-3 deposed only upon the document which did not lend any strength to prosecution case. PW-1 and PW-2 already turned hostile to the prosecution case. The accused entered into a compromise with PW-1 and PW-2. The evidence of PW-3 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. 294(b), 324, 506(ii) of Indian Penal Code.

**DECISION:**

13. In the result the accused Sureshkumar S/o. Deenadayalan is found not guilty for the offence under Sec. 294(b), 324, 506(ii) of Indian Penal Code. Hence the accused is acquitted under Sec.248(1) CrPC.
14. Bond if any executed by the accused shall stands cancelled.
15. Case Property Auto bearing Reg No. TN21 BJ 9651 (PI No. 39/2024) handed over to interim custody to the petitioner. The Case property be kept in the permanent custody of the petitioner.

Typed by me on my official laptop, corrected and pronounced by me in the Open Court on this the 12<sup>th</sup> day of March 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 | .. | Thiyagu                          |
| P.W.2 | .. | Sampath                          |
| P.W.3 | .. | Shanmugam (Sub Inspector - Addl) |

**List of Prosecution side exhibits:-**

Ex.P1	..	Signature of PW-1 in Ex.P2
Ex.P2	..	Complaint
Ex.P3	..	FIR
Ex.P4	..	Observation Mahazar
Ex.P5	..	Rough Sketch
Ex.P6	..	Confession Statement ( Admitted Part)
Ex.P7	..	Seizure Mahazar
Ex.P8	..	Form 91
Ex.P9	..	Accident Register
Ex.P10	..	Wound Certificate
Ex.P11	..	Alteration Report

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Uthiramerur.