



IN THE COURT OF THE JUDICIAL MAGISTRATE, MUDUKULATHUR

Present : Ms.J.C.Aparna, B.A, L.L.B.,

Judicial Magistrate (FAC),

Mudukulathur.

Friday, this the 31st day of July 2026

CC.No.329/2025

CNR No. TNRM08-001389-2025

The State, rep. by

Sub Inspector of Police,

Elanjambur Police station.

...Complainant

Vs

Nagavel (aged 45/2025)

S/o.Subbaiah.

...Accused

Case – Summary

Statement as per Rule 106 of the Criminal Rules of Practice, 2019		
1.	Serial No	CC.No.329/2025
2.	Name of the Police Station and Crime Number	The State, rep. by Sub Inspector of Police, Elanjambur Police station, Crime No.82/2025 U/s.296(b), 115(2), 118(1), 351(3) BNS
3.	Name of the Accused	Nagavel,
4.	Father's name	S/o.Subbaiah,



5.	Occupation	Kandilan,
6.	Residence	Mudukulathur Taluk.
7.	Age	45/2025
8.	Date of occurrence	13.09.2025
9.	Date of Complaint/Information	14.09.2025
	Date of the Charge sheet	26.09.2025
10.	Date of Apprehension	14.09.2025
11.	Date of Release on bail	24.09.2025
12.	Date of Committal	Not Applicable
13.	Date of Commencement of Trial	19.02.2026
14.	Charge framed against the accused	The charge for the offence under sections 296(b), 118(1), 351(3) BNS were read out and explained to the Accused. When the Accused was questioned on the charges, he pleaded not guilty and claimed to be tried. The plea of the accused was recorded and posted for trial.
15.	Closure of Trial	20.07.2026
16.	Sentence or Order	In the result, the accused is found not guilty of offences u/s.296(b), 118(1) and 351(3) BNS. Hence the accused is acquitted of all charges u/s.271(1) BNSS by reason of benefit of doubt. The bail bond of the accused, if



		any, shall stand cancelled after the appeal period or if any appeal is preferred till the appeal is over.
17.	Explanation of delay	Appearance of the Accused

This case was originally filed and taken on file on 09.10.2025 and coming up today for final hearing, before me, in the presence of Thiru.S.Chokkesan, Learned Assistant Public prosecutor, representing for the State and Thiru.M.Radhakrishnan, Learned Counsel for the Accused, heard both side arguments, records perused and having stood over for consideration till this day, the Court delivered the following

JUDGMENT

1. Brief Summary of the case:-

The officer in charge of the Elanjambur police station filed charge sheet pertaining to the accused in Crime No.82/2025 stating that on 13.09.2025, at around 20.30 P.M., the defacto complainant was sitting on top of the water tank near the bus stop in kandilan village. At that time, the accused abused the defacto complainant by using filthy language, slapped the defacto complainant on his cheek, kicked him, pushed him down and caused a bleeding injury in his right knee. Then the accused picked up a beer bottle, smashed it on the ground and stabbed the defacto complainant on his right cheek, causing a bleeding injury to his cheek and threatened



him with dire consequences. Thereby the accused had committed offences punishable u/s.296(b), 115(2), 118(1), 351(3) BNS.

2. Cognizance:-

2.1. On the receipt of the charge sheet, this court satisfied that prima facie case was made out against the accused. Therefore took cognizance of the offences u/s.296(b), 115(2), 118(1), 351(3) BNS. After taking cognizance, this court issued summons to the accused.

2.2. On the receipt of summons, the accused appeared before this court. After his appearance, this court furnished copies of the case records u/s.230 BNSS at free of cost to the accused.

3. Framing of charges:-

3.1. After furnishing copies, this court, being satisfied that there is sufficient ground for proceeding with the case, framed charges against the accused u/s.296(b), 118(1), 351(3) BNS

3.2. After that the charges were read over and explained to the accused. Having understood the charges, the accused pleaded not guilty and claimed to be tried. Hence this court ordered for trial of the case.



4. Details of Prosecution Witnesses and Documentary Evidence:-

In order to prove the prosecution case, PW1 to PW3 were examined and Ex.P1 to Ex.P7 were marked on the side of the prosecution.

5. Summary of Evidence of Prosecution Witnesses:-

5.1. PW1 deposed about his signature in the complaint. The signature was marked as Ex.P1. PW2 deposed that he do not know the case details and he did not witness the incident.

5.2. PW3 is the present investigation officer of the Elanjambur police station. Since the investigation officer of this case got voluntary retirement, he deposed evidence based on the documents. PW3 deposed that on 14.09.2025, at 06.00 A.M., when the Sub Inspector of police Mr.Bose was discharging his duty at the Elanjambur police station, he received information from the Ramanathapuram Government Hospital and received a complaint from the Arumugavel and based on the complaint filed by the defacto complainant, at 09.00 A.M., that day, he registered FIR in Crime No.82/2025, u/s.296(b), 115(2), 118(1), 351(3) BNS. The complaint statement was marked as Ex.P2 and the FIR was marked as Ex.P3 and the complaint statement along with FIR was forwarded to the court. Then on the same day at 10.00 A.M., he proceeded to the scene of occurrence and prepared an observation mahazar and rough sketch in the presence of Ravi and Muthu and the observation mahazar



was marked as Ex.P4 and rough sketch was marked as Ex.P5. On the same day at 12.00 P.M the accused was arrested and remanded him to judicial custody. Then examined the doctor who gave treatment to PW1 and obtained wound certificate along with accident register which was marked as Ex.P6. Wound certificate which was given by the Ramanathapuram Government Hospital doctor was marked as Ex.P7. After the completion of the investigation, he laid the charge sheet before this court.

6. Proceedings u/s.351(1)(b) of BNSS.:-

After the completion of prosecution evidence, the accused was questioned u/s 351(1)(b) of BNSS. The incriminating circumstances were put forth to the accused. The accused denied the prosecution evidence and the incriminating circumstances put forth to him. The defence side did not examine any witness on their side. No exhibits and material objects were marked. Hence the defence side evidence was closed.

7. Points for determination:-

Upon hearing the arguments of both sides and perusing the connected documents and records, the question that arises for consideration of this court is

a) Whether the prosecution has proved the case beyond all reasonable doubt as against the accused?



8. Appreciation of Evidence and Discussion:-

8.1. In the instant case, the accused was charged for the offences u/s.296(b), 118(1), 351(3) BNS for abusing PW1 by using filthy language, causing simple injuries to PW1 and threatening him with dire consequences. In order to bring home the guilt of the accused, the prosecution examined PW1 to PW3 and marked Ex.P1 to Ex.P7 were marked on the side of prosecution.

8.2. PW1 is the defacto complainant. PW1 deposed in his chief examination stated that in the last year around 8:30 PM, while he was sitting near the water tank in their village, some people were fighting there. When he attempted to pacify them, he fell down and sustained injuries. He was not injured by the accused. He underwent treatment for my injury at the Ramanathapuram Government Hospital. At that time, when he reported the incident to the Elanjambur Police who arrived there, the police officer obtained a signature on an unwritten blank white paper. He does not know any other details regarding this case. The PW1 turned hostile and did not support the case of the prosecution.

8.3. Next PW2 who is the ocular witnesses in this case were examined by the prosecution to prove the case. But to the dismay of the prosecution, PW2 deposed that he did not know the case details and he did not witness the incident. Therefore with the permission of this court, he was treated as hostile witnesses and cross examined by the prosecution. But even in the cross examination, no incriminating facts



were established as against the accused by the prosecution. Hence the evidence of PW2 is totally disregarded by this court which proved to be fatal to the prosecution case.

8.4. PW3 had categorically deposed only about the investigation procedures carried out in this case. Therefore this court finds that evidence of PW3 did not aid the prosecution in establishing the case against the accused.

8.5. Therefore from the above discussions, this court holds that though the prosecution has failed to prove the case against the accused and failed to attract offences u/s.296(b), 118(1) and 351(3) BNS beyond all reasonable doubt. Therefore the prosecution has failed to prove the case beyond all reasonable doubt as against the accused. Hence the benefit of doubt ought to be reckoned in favor of the accused.

9. Decision:-

9.1. In the result, the accused is found not guilty of offences u/s.296(b), 118(1) and 351(3) BNS. Hence the accused is acquitted of all charges u/s.271(1) BNSS by reason of benefit of doubt. The bail bond of the accused, if any, shall stand cancelled after the appeal period or if any appeal is preferred till the appeal is over.

9.2. No order as to property as no property was remanded in this case.



Directly typed by me in my official laptop, aligned by the Steno Typist, corrected by me and pronounced in the open court, on this 31st day of July 2026.

**Judicial Magistrate(FAC),
Mudukulathur.**

List of witnesses examined on the side of prosecution;

P.W.1 – Arumugavel

P.W.2 – Murugesan

P.W.3 – Senthilkumar

List of documents marked on the side of prosecution;

Ex.P1 - PW.1's signature in the complaint statement

Ex.P2 - Complaint statement

Ex.P3 - First Information Report

Ex.P4 - Observation Mahazar

Ex.P5 - Rough Sketch

Ex.P6 - Wound certificate with Accident register

Ex.P7 - Wound certificate

List of material objects marked on the side of prosecution; Nil

List of witnesses examined and documents produced on the side of defence; Nil



Note:

1. No witnesses detained more than three times.
2. Nature of disposal communicated to the concerned Police.
3. The Accused is on bail during the pronouncement of Judgment.

**Judicial Magistrate(FAC),
Mudukulathur.**