

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.II, METTUR

**Present : Thiru.D.Myilswamy, B.Com, B.L.,
Judicial Magistrate No.II,
Mettur.**

Wednesday, the 01st day of April – 2026

CC. 926/2025

CNR No : TNSA18-004602-2025

State of Tamil Nadu

Rep by the sub Inspector of police,
Jalakandapuram Police station,
Cr.No.298/2025

... **Complainant**

//vs//

A1.Manjunathan, (aged about 21 years/2025)

S/o. Raji,

Residing at Vennanampatty,
Selavadai Village, Omalur Taluk, Salem District.

A2.Karthi, (aged about 24 years/2025), (Died and charge abated on 11.02.2026)

S/o.Angamuthu,

Residing at Mariyamman Kovil Veethi,
Sedapatty,

Omalur Taluk, Salem District.

... **Accused No.1 and 2**

This case was taken on file on 19.11.2025 and came for final hearing before me on 27.03.2026 in the presence of **Thiru.V.Shanmugasundaram, Assistant Public Prosecutor**, the learned counsel for the complainant and **Thiru.R.Boopathy**, the learned counsel for the accused no.1 and upon hearing both side arguments and on perusing the entire records and having stood over for consideration of the said case till date, this court both the following:

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

1	Serial Number	CC No.926/2025
2	Name of Police Station & Crime Number	Jalakandapuram Police Station Cr.No.298 of 2025

3	Name of Accused	1. Manjunathan , S/o. Raji , 2. Karthi , S/o. Angamuthu, (Died and charge abated on 11.02.2026)
4	Occupation	Coolie
5	Residence	A1: Residing at Vennanampatty, Selavadai Village, Omalur Taluk, Salem District. A2:Residing at Mariyamman Kovil Veethi, Sedapatty, Omalur Taluk, Salem District.
6	Age	A1: 21 years/2025 A2: 24 years/2025
7	Occurrence (Date of offence)	12.10.2025
8	Complaint	21.10.2025
9	Apprehension (Date of Arrest)	21.10.2025
10	Release on Bail (Yes/No, Date)	28.10.2025
11	Commitment (to Court)	19.11.2025
12	Commencement of Trial	23.02.2026
13	Closure of Trial	23.02.2026
14	Sentence or Order (Verdict, Punishment)	01.04.2026
15	Service of Copy of Judgment to Accused	--
16	Explanation of Delay (if any)	--

JUDGMENT

1. The sub Inspector of Police of Jalakandapuram Police has laid final report stating that on 12.10.2025 around 11.45 P.m., when marimuthu was present in petrol bunk, one manjunathan and karthick were standing in front of petrol bunk, caused problem with others. Then marimuthu requested not to raise quarrel with others, the

accused scolded filthy words, then manjunathan has punched marimuthu in his chest, then accused karthick has attacked marimuthu in his head, then attacked marimuthu in his back using stone and punched in his chest, then criminally threatened with dire consequences, he was enquired by police and recorded his statement, then registered the first information report in Cr.No.298/2025 for offence under sections 296(b), 115(2), 118(1), 351(3) of BNS, after completion of investigation, the accused No.1 and 2 had committed an offence punishable under sections 296(b), 115(2), 118(1), 351(3) of BNS.

2. After taken cognizance of this case, the accused no.2 Karthi was died. This court on perusal of the material records had on satisfaction had taken cognizance of the offence under sections 296(b), 115(2), 118(1), 351(3) of BNS. Upon appearance of the accused No.1 and 2, copies of documents relied on the side of the prosecution was furnished to him under section 230 of B.N.S.S. On perusal of the materials placed by the prosecution, this Court felt that the materials placed by the prosecution were sufficient and adequate to presume prima facie case has been made out against the accused No.1 & 2 and the charges explained against the accused No.1 & 2 and explained to the accused No.1 & 2 in tamil. The accused no.1 and 2 had denied the same as false case and pleaded not guilty and claimed to be tried. Thereupon, the case was adjourned for examination of the prosecution witnesses. Later, the accused no.1 died by commit suicide and his death was confirmed by Pw1.

3. In order to prove the guilt of the accused no.1, the prosecution had examined two witnesses as PW1 and PW2 and marked documents as EX.P.1 to EX.P.6.

4. The case of the prosecution as deposed by the prosecution witness is as follows:

PW1 marimuthu is residing at tharamangalam and working in petrol bunk, before four months around night time two persons were speaking, the Pw1 requested to speak slowly, during night time crowd was gathered, some in the crowd pushed down Pw1 and caused injury, the accused karthick was died by commit suicide, then on caused doubt against accused he reported before police, he did not know complaint details, he identified the signature in complaint, the signature in complaint marked as **ExP1**, he was enquired by police. The Pw2 Mohankumar is working as head constable in jalakandapuram police station, he deposed in lieu of investigation of investigation officer, the grade 1 constable rajesh kannan enquired Pw1 and record his statement, then registered receipt no.553/2025 and handed over investigation to sub inspector gopal, then registered the first information report in crime no.196/2024 for the offence under section 296 (b), 115 (2), 118 (1), 351 (3) of BNS, the complaint marked as **Ex.P2**, the first information report marked as **Ex.P3**.

5. Then proceed to the place of occurrence on 21.10.2025 at around 12.00 P.M., and drawn sketch in the presence of witness, the observation mahazar and rough sketch marked as **ExP4 and ExP5**. The injured person Marimuthu taken to Government Hospital and the doctor Suresh gave treatment, the accident register of Pw1 marked as **ExP6**. Then on 21.10.2025 the accused were arrested and sent to judicial custody. On completion of the investigation, the investigation officer had laid down final report against the accused under section 296 (b), 115 (2), 118 (1), 351 (3) of BNS.

6. On completion of prosecution evidence, the incriminating materials available on records, as deposed by the prosecution witnesses, have been explained and questioned the accused No. 1 u/s 351(1) (b) of BNSS for his answers. The accused No.1 denied his complicity of incriminating circumstances appeared against him and he has stated that it is false case foisted against him.

7. The accused 1 stated that she had defence witness and later stated that there is no defence witness and after recording the same, this court heard both sides.

8. Both sides heard. The evidence of witnesses and material records have been perused.

9. THE POINT FOR CONSIDERATION:

Whether the prosecution had proved the charges under section 296(b), 115(2), 118(1), 351(3) of BNS as against the accused no.1 with relevant evidence and documents beyond all the reasonable doubt ?

10. ANSWER TO THE POINT:

The charges against the accused no.1 and 2 stating that on 12.10.2025 around 11.45 P.m., when marimuthu was present in petrol bunk, one manjunathan and karthick were standing in front of petrol bunk, caused problem with others. Then marimuthu requested not to raise quarrel with others, the accused scold filthily words, then manjunathan has punched marimuthu in his chest, then accused karthick has attacked marimuthu in his head, then attacked marimuthu in his back using stone and punched in his chest, then criminally threatned with dire consequences, he was enquired by police and recorded his statement, then registered the first information report in Cr.No.298/2025 for offence under sections 296(b), 115(2), 118(1), 351(3) of BNS, after completion of investigation, the accused No.1 and 2 had committed an offence punishable under sections 296(b), 115(2), 118(1), 351(3) of BNS.

11. To prove the charges against the accused No.1, the prosecution had relied upon the oral evidence of PW1 and PW2 and EX.P.1 to EX.P6. In this case, on 12.10.2025 around 11.45 P.m., when marimuthu was present in petrol bunk, one manjunathan and karthick were standing in front of petrol bunk, caused problem with others. Then marimuthu requested not to raise quarrel with others, the accused scold

filthily words, then manjunathan has punched marimuthu in his chest, then accused karthick has attacked marimuthu in his head, then attacked marimuthu in his back using stone and punched in his chest, then criminally threatned with dire consequences. The Pw1 in his evidence testify before four months around night time two persons were speaking, the Pw1 requested to speak slowly, during night time crowd was gathered, some in the crowd pushed down Pw1 and caused injury, the accused karthick was died by commit suicide, then on caused doubt against accused he reported before police, he did not know complaint details, he identified the signature in complaint, he did not know complaint details, the extract portion of Pw1 herewith “ சுமார் 4 மாதத்திற்கு முன்பு இரவு நான் பணியிலிருந்த போது இரண்டு நபர்கள் பெட்ரோல் பங்கில் பேசிக் கொண்டிருந்தார்கள். சத்தமாக எதுவும் பேசவேண்டாமென்று சொன்னேன். இரவு நேரம் என்பதால் கூட்டம் கூடிவிட்டது. அதில் யாரோ இருவர் என்னை கீழே தள்ளி அடித்தனர். ஆஜர் எதிரி என்னை அடிக்கவில்லை. இவ்வழக்கின் எதிரி கார்த்தி என்பவர் தற்கொலை செய்து கொண்டு இறந்துவிட்டார். காவலர்கள் நடந்த விவரத்தை என்னிடம் வாக்குமூலமாக கேட்டார்கள். நான் நடந்த விவரத்தை எதிரிகளின் மீது இருந்த சந்தேகத்தின் பேரில் சொன்னேன். அவர்கள் புகார் வாக்குமூலமாக பதிவு செய்தார்கள். புகார் வாக்குமூலத்தில் உள்ள கையெழுத்து என்னுடையது தான் அதில் உள்ள சங்கதிகள் எனக்கு தெரியாது” which means that Pw1 does not supported the prosecution.

12. Though the present officer stated about the fact of the case, but the Pw1 does not supported the prosecution. Thus, the prosecution has not proved the case beyond reasonable doubt. Thus the offence under sections under sections 296(b), 115(2), 118(1), 351(3) of BNS is **not proved beyond reasonable doubt against the accused.**

13. In the result, this Court holds that the prosecution had not proved the offence under sections 296(b), 115(2), 118(1), 351(3) of BNS as against the accused No. 1 beyond reasonable doubt and the accused no. 1 is acquitted u/s 271(1) of B.N.S.S. Accused no.2 died hence charge abated against accused no.2.

14. No material object produced on either side, hence no need to discuss about property order.

Directly typed by me in the Computer and corrected by me and the Judgment pronounced in the open court on the 01st day of April 2026.

**Judicial Magistrate No.II,
Mettur.**

Prosecution side witnesses:-

PW1	Marimuthu
PW2	Mohankumar

Prosecution side Exhibits:- Judicial Form No.68

S.No of the exhibit	Description of the exhibit and its date	Date, When the exhibit was filed in the case	How marked	By Whom filed	Remarks
1.	Signature in the complaint statement	23.02.2026	Exhibit P1	Pw1	Original
2.	Complaint statement	23.02.2026	Exhibit P2	Pw2	Original
3.	First information report	23.02.2026	Exhibit P3	Pw2	Original
4.	Observation mahazar	23.02.2026	Exhibit P4	Pw2	Original
5.	Rough Sketch	23.02.2026	Exhibit P5	Pw2	Original
6.	Accident Register	23.02.2026	Exhibit P6	Pw2	Original

Material Objects:- -Nil-

Defence side Witness:- -Nil-

Defence side Exhibits:- -Nil-

**Judicial Magistrate No.II,
Mettur.**

Note:

- 1) During the trial of the case, the accused is on bail and the bail bond executed by the accused shall stand cancelled.
- 2) No witnesses had been called for evidence more than three days.
- 3) Result of the judgment had been informed to the Prosecution/concerned police.

Judicial Form No.61

(See Rule 106)

IN THE COURT OF THE JUDICIAL MAGISTRATE COURT NO-II. METTUR.**JUDGMENT IN CC.No.926/2025****ON THE FILE OF THE JUDICIAL MAGISTRATE COURT NO-II. METTUR.**

Complainant :	The sub Inspector of police, Jalakandapuram police station, Cr.No.298 of 2025
Accused :	1. Manjunathan, S/o.Raji, 2. Karthi, S/o. Angamuthu, (Died and charge abated on 11.02.2026)
Offence :	under sections 296(b), 115(2), 118(1), 351(3) of BNS
Charges :	under sections 296(b), 115(2), 118(1), 351(3) of BNS
Finding :	This Court holds that the prosecution had not proved the offence under sections 296(b), 115(2), 118(1), 351(3) of BNS as against the accused No. 1 beyond reasonable doubt.
Sentence/ order :	In the result, this Court holds that the prosecution had not proved the offence under sections 296(b), 115(2), 118(1), 351(3) of BNS as against the accused No. 1 beyond reasonable doubt and the accused no. 1 is acquitted u/s 271(1) of B.N.S.S. Acused no.2 died hence charge abated against accused no.2.

Description of the Accused

Sl. No	Name	Father's Name	Religion	Occupation	Residence Address	Age
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Manjunathan	Raji	Hindu	Coolie	Residing at Vennanampatty, Selavadai Village, Omalur Taluk, Salem District.	21 years/2025
2.	Karthi (Died)	Angamuthu	Hindu	--	Residing at Mariyamman Kovil Veethi, Sedapatty, Omalur Taluk,	24 years/2025

					Salem District.		
DATE OF							EXPLANATION OF DELAY
Offence	Report of complaint	Apprehensi on of accused	Release on bail	Commence ment of trial	Close of trial	Sentence or order	Date of FIR 21.10.2025 Charge Sheet: 27.10.2025 T.O.F. : 19.11.2025
(8)	(9)	(10)	(11)	(12)	(13)	(14)	
12.10.2025	21.10.2025	21.10.2025	28.10.2025	23.02.2026	23.02.2026	01.04.2026	

**Judicial Magistrate No.II,
Mettur.**

CASE SUMMARY			
Sl.No	Description	Remarks	
1.	Period of Remand of the Accused	From 21.10.2025 to 28.10.2025	
2.	The date of filing of the Complainant/final report of the Court	19.11.2025	
3.	The date of committal of the case to the court of Session	Nil	
4.	The date of questioning of the accused under Sections 228, 240, 246, 251 of the Code of Criminal Procedure. 1973, as the case maybe	08.12.2025	
5.	Filing of miscellaneous petitions and their results including the results on challenge before superior Courts. Except routine petitions like petitions under Section 317 of the code	CMP No.521/2025, Dated: 27.10.2025 480 BNSS petition filed and allowed.	
6.	Date of examination in-chief and cross-examination of a witness	Witness	Chief
		PW1	23.02.26
		PW2	23.02.26
7.	Date of examination of the accused Under Section 313 of the code	24.02.2026	
8.	Details of abscondence of an accused and his appearance/production, as the case maybe	Nil	
9.	Grant of stay by Superior Courts and the results thereof	Nil	

**Judicial Magistrate No.II,
Mettur.**