



**IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI
PRESENT: THIRU. J.KARMEGAKANNAN, B.A., B.L.,**

JUDICIAL MAGISTRATE, KARAIKUDI

On Friday the 14th day of August 2026

Calendar Case No.1201 of 2022

Old C.C.No.80 of 2020

Crime No.111 of 2019

(On the file of Alagappapuram Police station)

CNR No.TNSV19 – 003 – 173 - 2022

Statement as per Rule 106 of the Criminal Rules of Practice, 2019		
1.	Serial Number	Calendar Case (C.C). No.1201 of 2022
2.	Name of the Police Station and Crime Number	State Reperesented through The Sub Inspector of Police, Alagappapuram Police Station, Sivagangai District. Crime No. 111 of 2019. Complainant
3.	Name	Saravanan @ Senthil, S/o. Vellaichamy, Panankattaivayal, Devakottai Taluk, Sivagangai District. Accused
	Father's name	
	Occupation	
	Residence	
	Age	
4.	Date of Occurrence	21.12.2019
5.	Date of Final Report	21.01.2020
6.	Date of Apprehension	21.12.2021



7.	Date of Release on bail	26.12.2019		
8.	Date of examination of witnesses in chief, Cross	Witnesses	Chief Examination	Cross Examination
		PW-1	06.08.2025	06.08.2025
		PW-2	06.08.2025	06.08.2025
		PW-3	12.11.2025	12.11.2025
		PW-4	11.06.2026	11.06.2026
		PW-5	23.06.2026	23.06.2026
		PW-6	02.07.2026	02.07.2026
9.	Closure of Trial	02.07.2026		
10.	Accused is questioned u/s.313(1)(b) of Crpc date	07.08.2026		
11.	Sentence or Order.	In the result, the offence alleged against Accused under sections 294 (b), 324 and 506 (2) of Indian Penal Code, 1860 and section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, 1860, has not been proved and the accused is found not guilty. Hence, Accused is acquitted under Section 248(1) of Cr.P.C. The bail bonds, if any, executed by the accused shall stand cancelled and the sureties, if any, shall stand discharged after the expiry of the appeal period.		



12.	Service of copy of judgment or finding on accused person	The Judgment was uploaded in e-court portal
13.	Explanation of delay	The delay was occasioned due to the delay in serving of summons on the accused is and Covid - 19 pandemic situation.
14.	Date of Judgment Reserved	10.08.2026
15.	Date of Judgment Pronounce	14.08.2026
16.	Date of Judgment upload	14.08.2026

This case being taken on file in the year 2020 and previously numbered as CC.No.80/2020 and this court converted on 2022 as Judicial Magistrate Court, Karaikudi, new number has been assigned as CC.No.1201/2022 and the state being represented by Mr. Selvaraj, Assistant Public Prosecutor- Grade I and Mr.J.K.Shanmugasekar counsel for Accused person and after perusing the documents filed, evidence adduced and upon hearing submission of both sides, this court passes the following;

JUDGMENT

1. The present case has been charge sheeted by the Sub Inspector of Police, Alagappapuram Police Station, in Crime No. 111 of 2019 against the above accused person under sections 294 (b), 324 and 506 (2) of Indian Penal



Code, 1860 and section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002.

2. The case of the prosecution in brief is as follows:-

The defacto complainant is a resident of Railway Goodshed Street, Karaikudi. On 21.12.2019 at about 10.30 AM when she had placed soil and jalli in the accused's land, a quarrel arose between the defacto complainant and the accused in this regard. The accused used filthy language against her and stated that she had occupied his land and placed soil and jalli there. Despite knowing that she was a woman, the accused took an iron rod and attacked her on her right hand and left leg, thereby causing simple injuries. The accused also threatened her with dire consequences

3. Being aggrieved over the same, the defacto complainant lodged the complaint on 21.12.2019 before the complainant police and based on which the FIR was registered on 21.12.2019. On charge sheet being file, the case was taken on file against the accused person and summons were issued. Hence, on appearance of the accused persons copies were furnished under section 207 Cr.P.C. The particulars of the offence of which she being accused was put to him, and accused had denied the same, as prima facie case existed, this court framed charge against the accused person under sections 294 (b), 324 and 506 (2) of Indian Penal Code, 1860 and section 4 of Tamilnadu Prohibition of



Harassment of Women Act, 2002, and asked whether he plead guilty or has any defence to make. The accused had denied the charge and claimed to be tried.

4. The evidence on the side of prosecution consists of testimonies of PW1 to PW6 and Exhibits P1 to P7 and P.MO.NO. 1 also marked. After closure of prosecution side evidence, this court questioned the accused U/s 313 of the criminal procedure code, regarding incriminating material available against him in the prosecution evidence. The accused had denied the complicity of the offence. The defence side did not examine any witness nor did mark any document.

5. The learned Assistant Public Prosecutor for the State argued that the case of the Prosecution has been proved beyond all reasonable doubts on account of the consistent testimony of the witnesses regarding the offence against the accused person under sections 294 (b), 324 and 506 (2) of Indian Penal Code, 1860 and section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002. Thus, it was strongly pressed on behalf of State that the Accused be convicted and given maximum punishment.

6. Per contra, the learned counsel for the accused has Arguing that Prosecution has completely failed to discharge its burden of proving the case of



the Accused beyond reasonable doubts, learned Counsel for the Accused pressed upon their acquittal from the present case.

7. I have heard learned APP for the State and learned Counsel for the accused. I have gone through the oral and documentary evidence for appreciating the rival contentions.

8. Points for Consideration:-

Whether the prosecution has proved its case beyond all reasonable doubt against the accused person for the offence under sections 294 (b), 324 and 506 (2) of Indian Penal Code, 1860 and section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002?

The Testimonies of the Prosecution witnesses in brief is as follows-

9. The PW1-Ratha-The defacto complainant has deposed that the accused is her husband's brother and that there was a property dispute between them at Karaikudi. On 21.12.2019 while she was inside her house, she heard a sound and came outside to see what had happened. At that time, the accused used filthy language against her and stated that he had come there to kill her. Thereafter, he took an iron rod from the house and attacked her on the left and right sides of her leg. Due to the pain, she fell down. On hearing her cries, one Rajeshwari and Pradeep came there and took the iron rod from the accused.



Thereafter, she went to the old Government Hospital for treatment and subsequently went to the police station and lodged a complaint. The said complaint is marked as Ex.P1. She has also stated that she knew the accused, as he is her husband's brother.

10. The PW2- Pradeep- who was examined as an eye witness, has deposed that he knew PW1, but he did not know the accused. On 21.12.2019 at about 9.00 a.m., he was at his house. At that time, he heard a sound from the neighbouring house. When he went there, he saw one person assaulting PW1 and using filthy language against her. He further deposed that the said person assaulted her with an iron rod and that he intervened. Thereafter, PW1 Radha was taken to the hospital. However, he did not know to which hospital she was taken or when she was taken there. He has stated that the police examined him and that he had informed the police about the same.

11. The PW3- Prapukumar- who was examined as a mahazar witness, has deposed that on 21.12.2019 at about 7.00 PM when he returned after completing his work, the police prepared the rough sketch and observation mahazar in respect of the quarrel that had taken place at Karaikudi Goodset Street, 2nd Street. He signed the said documents, and the observation mahazar was marked as Ex.P2.



12. The PW4- Rajeshwari- who was examined as an eye witness, has deposed that she knew the defacto complainant and the accused. She was residing in the house of PW1 as a tenant. On 21.12.2019 at about 10.30 AM while she was at her house, the accused came there and, due to the property dispute and the existing enmity, used abusive language against PW1. Thereafter, he took an iron rod and attacked PW1 with it on her right hand and left leg. One Pradeep and Kanhaiya came there and took PW1 to the hospital in an auto. The police also came and examined her in this regard.

13. The PW5- Muthukumar- The doctor who treated PW1 has deposed that on 21.12.2019 at about 11.30 AM, the PW1 came to the hospital for treatment and was admitted as an inpatient. She stated that at Goodset Street, she was attacked by one Senthil at about 10.30 AM. with an iron rod on her right forearm. On examination, the doctor found no external injuries. However, PW1 complained of slight pain in her right forearm and general body pain. Thereafter, the doctor issued a certificate stating that the injury was simple in nature. The wound certificate was marked as Ex.P3.

14. The PW6- Marimuthu- The Investigating Officer has deposed that on 21.12.2019 at about 6.00 PM the PW1 came to the police station and lodged a complaint. Based on the said complaint, an FIR was registered in Crime No.111 of 2019 for the offences under Sections 294(b), 324 and 506(ii) of the



IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act. The FIR was marked as Ex.P4. Thereafter, he went to the place of occurrence and prepared the rough sketch and observation mahazar in the presence of Kulavaiah and Prabhukumar. The rough sketch was marked as Ex.P5. Thereafter, at about 7.45 PM, in the presence of the same witnesses, he recovered the property under an athatchi, which was marked as Ex.P6. At about 8.00 PM, he arrested the accused and sent him to judicial custody. He produced the seized property before the court under Form No.95, which was marked as Ex.P7, and the seized iron rod was marked as M.O.1. Thereafter, he examined the doctor and recorded his statement. Finally, he completed the investigation and filed the final report on 27.01.2020.

The point for consideration is answered as follows;-

15. The case of the prosecution is that the defacto complainant is a resident of Railway Goodshed Street, Karaikudi. On 21.12.2019 at about 10.30 AM, she had placed soil and jalli in the land of the accused. Due to this, a quarrel arose between the defacto complainant and the accused. It is alleged that the accused used filthy language against her and questioned her for occupying his land and placing soil and jalli there. It is further alleged that the accused took an iron rod and attacked her on her right hand and left leg and caused simple injuries. It is also alleged that the accused threatened her with dire consequences.



16. To prove the case, the prosecution examined PW1 to PW6 and marked Ex.P1 to Ex.P7 and M.O.1.

17. The PW1 is the defacto complainant and injured witness. She has stated that on 21.12.2019 while she was at her house, she heard a sound and came outside. She questioned the accused, and at that time, the accused abused her and attacked her with an iron rod on her left and right legs. She has further stated that she was taken to the hospital for treatment.

18. However, the evidence of PW1 regarding the injuries is not supported by the evidence of PW5, the doctor. The PW5 has stated that PW1 came to the hospital and told her that she had pain in her right forearm. On examination, no external injury was found. The doctor has only noted pain in the right forearm and general body pain and has stated that the injury was simple. The Ex.P3 is the wound certificate. Therefore, the evidence of PW1 that she was attacked on her right hand and left leg with an iron rod is not supported by the medical evidence. Though pain can be treated as an injury, the prosecution must clearly prove where the injury was caused and how it was caused. In this case, the medical evidence does not support the version of PW1.

19. The PW2 was examined as an eye witness. He has stated that he heard a sound from the neighbouring house and went there. He saw a person



attacking PW1 and intervened in the quarrel. However, PW2 has specifically stated that he did not know the accused. If he had actually seen and intervened in the quarrel between PW1 and the accused, it is difficult to accept that he did not know who the accused was.

20. The PW4 is another eye witness. She has stated that the accused attacked PW1 with an iron rod on her right hand and left leg. However, this evidence is also not supported by the medical evidence. PW5, the doctor, has not found any external injury on PW1. Therefore, the evidence of PW4 regarding the alleged injuries cannot be safely relied upon.

21. The PW3 is a mahazar witness. However, he has not even spoken about the seizure of the iron rod. He deposed only about that he has signed the observation mahazr. Though the prosecution claims that the iron rod measuring about 4¼ feet was seized and marked as M.O.1, however, the PW3 has not even deposed about the seizure even a single line in his testimony. Another mahazar witness, namely Kulavaiah, has not been examined by the prosecution. Therefore, the alleged seizure of M.O.1 is also not satisfactorily proved.

22. The PW6 is the Investigating Officer. He has spoken about the registration of the FIR, preparation of the observation mahazar and rough



sketch, seizure of M.O.1 and completion of the investigation. However, the evidence of the Investigating Officer alone cannot prove the occurrence when the evidence of the main witnesses contains material doubts and is not supported by the medical evidence.

23. Therefore, the charge under section 324 IPC has not been proved. Since, as discussed above, the prosecution has not clearly established that the accused attacked PW1 with an iron rod and caused injury to her. The evidence of PW1 and PW4 regarding the place of injury is not supported by the doctor. The alleged weapon has also not been properly connected with the occurrence.

24. As regards section 294(b) IPC, PW1 has stated that the accused used filthy language against her and has also stated the words allegedly used by him. However, to prove the offence, the prosecution must also establish that the words were uttered in or near a public place and caused annoyance to others. There is no clear evidence to prove this part of the offence. No independent witness has stated that the alleged words caused annoyance to the public. Hence, the offence under Section 294(b) IPC has also not been proved beyond reasonable doubt.

25. As regards section 506(ii) IPC, the prosecution has not deposed regarding the alleged threat in her chief examination. The PW1 has not even



stated the specific threat given by the accused and how it caused alarm to her. Hence, the charge under Section 506(ii) IPC has also not been proved.

26. As regards section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, the prosecution has not proved the necessary ingredients of the offence. There is no clear evidence in the testimony of the PW1 or any other witnesses to show that the accused committed an act which amounts to harassment of a woman as required under the said provision and hence, the prosecution has also not established any act affecting the modesty of the PW1. Hence, this charge has also not been proved.

27. Moreover, it is the paramount duty of the prosecution to establish the guilt of the accused beyond all reasonable doubt. Unless the guilt is established beyond all reasonable doubt, the accused can not be held guilty of the alleged offences. On this point held in, (2016) 10 SCC 519 - AIR 2016 SC 4581 in para 56, Hon'ble Apex held thus hereunder:

"56. It is a trite proposition of law, that suspicion however grave, it cannot take the place of proof and that the prosecution in order to succeed on a criminal charge cannot afford to lodge its case in the realm of "may be true" but has to essentially elevate it to the grade of "must be true". In a criminal prosecution, the court has a duty to ensure that mere conjectures or suspicion do not take the place of legal proof and in a situation where a reasonable



doubt is entertained in the backdrop of the evidence available, to prevent miscarriage of justice, benefit of doubt is to be extended to the accused. Such a doubt essentially has to be reasonable and not imaginary, fanciful, intangible or non-existent but as entertainable by an impartial, prudent and analytical mind, judged on the touchstone of reason and common sense. It is also a primary postulation in criminal jurisprudence that if two views are possible on the evidence available one pointing to the guilt of the accused and the other to his innocence, the one favourable to the accused ought to be adopted."

28. Thus, the prosecution has failed to prove beyond reasonable doubt that the accused committed the offences under sections 294 (b), 324 and 506 (2) of Indian Penal Code, 1860 and section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002. Accordingly, the point for consideration is answered in favour of the accused.

29. In the result, the offence alleged against Accused under sections 294(b), 324 and 506(2) of Indian Penal Code, 1860 and section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, 1860, has not been proved and the accused is found not guilty. Hence, Accused is acquitted under Section 248(1) of Cr.P.C. The bail bonds, if any, executed by the accused shall stand cancelled and the sureties, if any, shall stand discharged after the expiry of the appeal period.



30. In this case properties remanded in P.R.No.37/2020 (P.M.O.No.1), Iron Rod shall be destroyed after the expiry of the appeal period. In case an appeal is filed, the disposal of the said property shall be subject to the orders of the Appellate Court.

Typed by me in my computer, verified by me to be correct and pronounced in open court on 14th day of August, 2026.

Judicial Magistrate,
Karaikudi.

Chart for Prosecution side witnesses:		
PW.No	Name of Witness	Description
1	Mrs. Radha	Defacto Complainant
2	Mr. Pradeep	Eye witness
3	Mr.Prapukumar	Mahazar witness
4	Mrs. Rajeshwari	Eye witness
5	Mr. Muthukumar	Doctor witness
6	Mr. Marimuthu	Investigation Officer
Defence Side Witness – NIL		
Chart for Exhibited Documents		
Exhibit No	Description of the Exhibit	Proved by/Attested by
1	Complaint	PW1
2	Observation Mahazar	PW3



3	Wound Certificate	PW5
4	First Information Report	PW6
5	Rough Sketch	PW6
6	Seizure Mahazar	PW6
7	Form 95	PW6
Exhibits of the Defence - NIL		
Material Objects Submitted by Prosecution		
1	Iron Rod	PW6
Material Objects Submitted by Defence - NIL		

Judicial Magistrate,
Karaikudi.

Note:

1. During the period of trial the accused were enlarged on bail.
2. No witnesses were held more than three days without examination.
3. Judgment Date : 14.08.2026.
4. Copy to Hon'ble Chief Judicial Magistrate, Sivagangai.