

**IN THE COURT OF THE JUDICIAL MAGISTRATE, AVINASHI**

Present: Tmt. N. Keerthana, B.A.,L.L.M.,
Judicial Magistrate, Avinashi.

On Tuesday, the 04th day of August 2026

C.C.No.352/2025

in

Crime No.268/2025

CNR.No.TNTI13-0034272025

Joel Siddarth

S/o. Chirsthu Arokiasamy

...Accused

Vs.

State of Tamil Nadu Represented by, The Sub Inspector of Police,
Avinashi Police Station, Cr.No.268/2025

U/s.296(b), 118(1), 351(3) of BNS

...Complainant

This case came up for final hearing before me on 23.07.2026 in the presence of the Learned Assistant Public Prosecutor for the State and Thiru.P. Samynathan Advocate for the accused. After hearing both sides, on perusal of records and having stood over for consideration, this Court delivers the following,

JUDGMENT

I. CASE OF THE PROSECUTION:

The defacto complainant, Arulmonish, and the accused, Joel Siddharth, have been known to each other since their childhood. On 03.04.2025 at about 7.30 p.m., the defacto complainant Arulmonish went to the residence of the accused Joel

Siddharth to meet him. Both of them were standing outside the house and talking, during that time a quarrel arose between them. During the course of the quarrel, the accused Joel Siddharth abused the defacto complainant in filthy language. Further, the accused assaulted the defacto complainant on his left eye with his bike key, thereby causing a simple injury. The accused also threatened the defacto complainant with dire consequences, including threatening to kill him, thereby causing fear and apprehension in the mind of the defacto complainant. The Inspector of Police, Avinashi Police Station filed the final report against the accused for the offence under Section U/s.296(b), 118(1), 351(3) of BNS.

II. THE CHARGE AND PLEA OF THE ACCUSED:

2. Upon appearance of accused, copies of the final report and documents was furnished to him at free of cost in compliance with section 230 of BNSS.

3. After examining the case records and providing both parties adequate opportunity to be heard, this court finds sufficient grounds to frame charges against the accused for the offences U/s.296(b), 118(1), 351(3) of BNS. Charges were duly framed read over and explained. The accused denied the charges, and claimed to be tried.

III. EVIDENCE ADDUCED BY THE PROSECUTION:

4. During the trial, prosecution witnesses PW1 and PW2 were examined, and prosecution exhibits Ex.P.1 to Ex.P.8 and Motor Cycle Key (P.M.O.1) were marked. No evidence was adduced on the side of the defence.

IV. EVIDENCE OF PROSECUTION IN BRIEF:

5. **PW1 –Arul Monish** deposed that the accused is his friend. He stated that a minor dispute arose between them, which was subsequently resolved amicably through mutual discussion. He further stated that the incident had occurred during the previous year. In connection with the incident, when he went to the Avinashi

Police Station, the police obtained his signature on a paper. He identified the signature found in the complaint shown to him as his own. However, he stated that he had no knowledge of the contents of the complaint. Accordingly, only his signature in the complaint was marked as Ex.P1. He further deposed that, since he and the accused had amicably settled their dispute, they had filed a compromise petition before this Court. He stated that he did not wish to pursue any further action on the basis of his complaint and that he had no objection to acquit the accused.

6. PW2 –Palaniammal deposed that on 04.04.2025, while Head Constable Jayakrishnan was on station duty while he received information from the Tiruppur Government Hospital. Based on the information, he proceeded to the hospital, where he recorded the complaint statement of Arul Monish, who was undergoing treatment as an inpatient. On returning to the police station, he registered Crime No. 268 of 2025 under Sections 296(b), 118(1), and 351(3) of BNS and entrusted the case records to Sub-Inspector Sekar for investigation. The complaint was marked as Ex.P2, and the First Information Report was marked as Ex.P3. She further stated that Sub-Inspector Sekar took up the investigation and, at about 6.00 a.m. on 04.04.2025, visited the place of occurrence, in the presence of witnesses Lalithkumar and Mayil Vaganam, he inspected the scene and prepared an Observation Mahazar and a Rough Sketch, which were marked as Ex.P4 and Ex.P5, respectively. At about 6:30 a.m., in the presence of the same witnesses, he seized a motorcycle key from the place of occurrence under a Seizure Mahazar, which was marked as Ex.P6. The seized material object was produced before this Court under Form 91, which was marked as Ex.P7. The motorcycle key was marked as P.M.O.1. She further stated that the Investigating Officer examined prosecution witnesses 1 to 5 individually and recorded their statements. The accused was arrested on the same day and remanded to judicial custody. On 01.05.2025, the Investigating Officer examined Dr. Ramya of the Avinashi Government Hospital, obtained the wound certificate relating to the victim, and recorded her statement. The wound certificate was marked as Ex.P8. Upon

completion of the investigation, the Sub Inspector of Police, filed the final report against the accused under Sections 296(b), 118(1), and 351(3) of BNS.

V. QUESTIONING UNDER SECTION 351(1)(b) of BNSS:

7. The testimonies and circumstances incriminatory to the accused from the prosecution witnesses were explained and questioned to the accused under Section 351(1)(b) of BNSS, to which the accused replied stating that it is a false case. No evidence was adduced on the side of the defence.

VI. POINT FOR DETERMINATION:

8. The issue to be decided in this case is whether the charges under section 296(b), 118(1), 351(3) of BNS and have been proved beyond reasonable doubt by the prosecution?

VII. APPRECIATION OF EVIDENCE AND FACTS :

9. The case of the prosecution primarily rests upon the evidence of PW1, the defacto complainant who is the injured and the victim. However, PW1 while deposing evidence has not supported the case of prosecution. Though PW1 admits the signature on the complaint, which is Ex.P1, and he explicitly states he does not know about the contents mentioned in the complaint. Further, PW1 has also testified that they have reached a mutual settlement between them and stated that he does not wish to pursue the case. Since the primary victim has failed to identify the accused and to overact committed by the accused as the perpetrators of the crime and state about the contents in the FIR, the substratum of the prosecution case is weakened. Wherein the investigating officer has stated about the procedural formalities done in this case and the Exhibits marked as Ex.P2 to Ex.P8.

10. It is pertinent to note that PW1, being the injured witness and the author of the complaint, has failed to identify the accused as the persons who had committed the alleged occurrence and has not spoken about the overt acts attributed against him.

When the injured witness himself disowns the contents of the complaint and does not support the prosecution version, the substratum of the prosecution case becomes doubtful. The testimony of PW1 does not inspire the confidence of this Court to base a conviction. He filed a compromise petition before this Court seeking that no action may be taken on the complaint. He expressly stated that he has no objection to acquit the accused. This Court finds that testimony of PW1 suffers from fundamental and incurable defects that render it wholly unreliable since they have not corroborated any of the specific allegations made in the complaint.

11. In the present case, the evidence on record is not only insufficient but is affirmatively discrediting the prosecution's case. The defacto complainant himself has disowned knowledge of the contents of the complaint and has failed to corroborate any of the allegations. The investigating officer's testimony merely establishes procedural compliance but does not prove the commission of the offences.

12. The fundamental principle of criminal jurisprudence is that the prosecution must prove the guilt of the accused beyond reasonable doubt. The benefit of doubt must invariably go to the accused. The alleged occurrence appears to have arisen out of a quarrel among relatives. However, when the complainant himself disowns the complaint and does not support the prosecution case, the very foundation of the case stands weakened. In the instant case, there is not merely a reasonable doubt but a complete absence of credible evidence establishing the guilt of the accused. The prosecution has failed to discharge its burden of proof. When the sole complainant and victims disown the contents of the complaint and fails to support the prosecution's case, and when there is no other credible evidence to fill this void, the only conclusion that can be reached is that the charges against the accused have not been proved beyond reasonable doubt.

VIII. THE DECISION:

13. In the light of the discussion and findings arrived under the previous head,

this Court holds that the accused is FOUND NOT GUILTY for offences under section U/s. 296(b), 118(1), 351(3) of BNS, as per section **271 (1) of BNSS**.

IX. PROPERTY ORDER U/S.457 of Crpc:

The property in P.R.No.147/2025 Dated 21.04.2025, Motor Cycle Key -1 shall be destroyed after the period of appeal.

Directly Dictated to the Steno-typist and typed by him, corrected and pronounced by me in Open Court on the 04th day of August 2026.

Judicial Magistrate,
Avinashi.

For Prosecution Witnesses:

Prosecution Witness No	Name of Witness	Description
1.	Arul Monish	Complainant
2.	Palaniyammal	Investigating Officer

For Prosecution Documents:

Exhibit No	Description of the Exhibit	Proved by/Attested by
1	Signature in the Complaint	PW1
2	Complaint	PW2
3	First Information Report	PW2
4	Observation Mahazar	PW2

5	Rough Sketch	PW2
6	Seizure Mahazar	PW2
7	Form No.91	PW2
8	Wound Certificate	PW2

Material Objects:

Material Object No.	Description of the Exhibit	Proved by/Attested by
P.M.O.1	Motor Cycle Key-1	PW2

For Defence

Witnesses: Nil

Documents: Nil

Material Objects: Nil

Judicial Magistrate,
Avinashi.

Note:

- i. No witness was retained more than three times.
- ii. The Result of this case has been communicated to the concerned Police Station.
- iii. Copy of this Judgment is hereby humbly submitted to the Hon'ble Chief Judicial Magistrate, Tiruppur.