

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

**Present** : Selvi. D.Thenmozhi, B.A.,B.L.,LL.M.,  
Judicial Magistrate, Kangeyam.

**Dated** : Monday, the 08<sup>th</sup> day of June, 2026.  
(CNR No. TNTI15-001237-2024)

**CC.No:244/2024**

Inspector of Police

Kangeyam P.S,

Cr.No. 467 of 2024

U/sec. 331(4), 305(a), r/w 62 BNS

... Complainant

/Vs/

A4. Thangarasu,

S/o. Kalaiyan,

... Accused

This case came before me on 08.06.2026 for final hearing in the presence of Tr.S.Senthilkumar, M.A., B.L., Assistant Public Prosecutor Grade I for the State on perusal of the materials and having stood over for consideration till this day, this Court delivered the following,

**JUDGMENT**

1. In this case, on 02.09.2024 at about 1.15 p.m., at Sakthi Nagar, Dharapuram Road, Kangeyam Town, Accused No.1 Murugan @ Sivaguru, Accused No.2 Raja, Accused No.3 Suresh and Accused No.4 Thangarasu broke open the lock of the house belonging to PW-1 Palanisamy, trespassed into the house and attempted to commit theft. Hence, a charge sheet has been filed

against the four accused for the offences punishable under Sections 331(4) and 305(a) read with Section 62 of the Bharatiya Nyaya Sanhita, 2023.

2. This act of theft led to the registration of Crime No.467/2024 under Section 331(4) and 305(a) r/w 62 BNS.

3. The case against A4 is split up from the mother case. A separate case is ordered to be registered and assigned a new CC.No.266/2026. The mother case shall proceed against the remaining accused in accordance with law. Copies furnished U/s 230 B.N.S.S. Petition filed to waive the reflection period and allowed. Substance of accusation explained u/s 274 B.N.S.S Accused pleaded guilty. Upon trial stage, this Court is satisfied that the plea is clear, voluntary, and qualified. Hence, no additional evidence is required.

4. **In light of the principle established in State of Maharashtra v. Sukhdev Singh & Another, (1992) 3 SCC 700, the Court accepts the admission.**

The accused A4 is convicted for the offence under Section 331(4) and 305(a) r/w 62 BNS. Questioned on quantum of sentence and accused pleaded for leniency.

5. Accordingly, this Court imposes the following sentence:

The accused is sentenced to undergo Simple Imprisonment for 1 year, 8 months and 5 days (totalling 610 days) and to pay a fine of Rs.50/- for the offence under Section 331(4) BNS and Rs.50/- for the offence under Section 305(a) r/w 62 BNS, totalling Rs.100/-. In default of payment of fine, the accused shall undergo Simple Imprisonment for 1 Week.

The accused admits the guilty and understanding the nature of the offence and punishment. Hence this court concludes that the accused is found guilty u/s. 331(4) and 305(a) r/w 62 BNS and convicted accordingly.

6. The period of custody undergone by the accused from 07.10.2024 to 08.06.2026 during investigation and trial is hereby ordered to be set off against the term of imprisonment under Section 331(4) and 305(a) r/w 62 BNS.

#### **7. Order of the Property**

There is no property involved in this case. Hence, no order is necessary.

Dictated by me directly typed by the Steno-Typist correct and pronounced in the open court on 08<sup>th</sup> day of June 2026.

Judicial Magistrate,  
Kangayam.

## APPENDIX

### Witnesses examined for Prosecution

| Prosecution Witness No. | Name of the Witness              | Description                          | Date of Examination |
|-------------------------|----------------------------------|--------------------------------------|---------------------|
| PW1                     | Tr. Palanisamy                   | Complainant                          | 11.12.2024          |
| PW2                     | Tr. Senthilkumar @ Senthilnathan | Observation Mahazar                  | 13.12.2024          |
| PW3                     | Tr. Subramani                    | Formal Witness                       | 18.12.2024          |
| PW4                     | Tr. Gopalakrishanan              | Confession & Seizure Mahazar witness | 24.12.2024          |

### Exhibits marked for Prosecution

| Ex.No. | Description of the exhibit                              | Proved by/Attested by |
|--------|---------------------------------------------------------|-----------------------|
| Ex.P1  | Complaint                                               | PW1                   |
| Ex.P2  | Observation Mahazar                                     | PW2                   |
| Ex.P3  | Request Letter                                          | PW3                   |
| Ex.P4  | Visiting Report                                         | PW3                   |
| Ex.P5  | Finger print comparison report                          | PW3                   |
| Ex.P6  | Unidentified chance print comparison report             | PW3                   |
| Ex.P7  | Opinion Report                                          | PW3                   |
| Ex.P8  | Identification Report                                   | PW3                   |
| Ex.P9  | S1 and S2 Photograph                                    | PW3                   |
| Ex.P10 | Finger print in Cr.no.287/2022(Ariyalur, Meensuriti PS) | PW3                   |
| Ex.P11 | Signature of the Confessional Statement-1               | PW4                   |
| Ex.P12 | Signature of the Confessional Statement-2               | PW4                   |
| Ex.P13 | Signature of the Confessional                           | PW4                   |

|        |                                                |     |
|--------|------------------------------------------------|-----|
|        | Statement - 3                                  |     |
| Ex.P14 | Signature of the Confessional<br>Statement - 4 | PW4 |

**Material Objects marked- Nil**

**Witnesses examined for defence- Nil**

**Exhibits marked for defence - Nil**

Judicial Magistrate,  
Kangayam.