

IN THE COURT OF THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
MADATHUKULAM

Present: Thiru. M.DHEENADHAYALAN B.A., B.L.,LLM.

District Munsif cum Judicial Magistrate, Madathukulam

Friday, the 28th day of August, 2026

(2057 Tiruvalluvarandu, Sri Parabhava Varudam, 11th day of Aavani)

C.C. No. 26 of 2022

(CNR.No.TNTI22-000074-2022)

The State, rep by
The Inspector of Police,
Komaralingam Police station
Tiruppur
(Cr. No.507/2021)

...Complainant

Vs

1. Manikumar (age 24/2021)
S/o. Palanisamy
2. Tamilselvan (age 20/2021)
S/o. Mariyappan
3. Karthi (age 18/2021)
S/o. Gopal
4. Boopalakrishnan (age 27/2021)
S/o. Chinnamasanam
5. Manikandan (age 22/2021)
S/o. Natarajan
6. Mathankumar (age 24/2021)
S/o. Kamaraj
7. Parthibaraj @ Parthimraj (age 26/2021)
S/o. Shanmugavel

...Accused

Case – Summary

Details of complainant station	:	The State rep by, Sub Inspector of Police, Komaralingam Police Station, Crime No. 507/2021 U/s.147, 148, 427,447, 294(b), 323, 324 and
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		506(ii) of I.P.C and section 4 of TNPHW Act
Name of accused	:	1. Manikumar (age 24/2021) S/o. Palanikumar 09/01, Pattal Veethi, Rudrapalayam, Madathukulam Taluk, Tiruppur District. 2. Tamilselvan (age 20/2021) S/o. Mariyappan, 12 A, Kilakku Street, Rudrapalayam Post, Madathukulam Taluk, Tiruppur District. 3. Karthi (age 18/2021) S/o. Gopal, 11/14, Jegajeevanram Veethi, Rudrapalayam Post, Madathukulam Taluk, Tiruppur District. 1. 4. Boopalakrishnan (age 27/2021) S/o. Chinnamasanam, 14th Ward, Puthunagar, Rudrapalayam Post, Madathukulam Taluk, Tiruppur District. 2. 5. Manikandan (age 22/2021) S/o. Natarajan 14/15, Pallivasal Street, Pattal Veethi, Rudrapalayam, Madathukulam Taluk, Tiruppur District. 3. 6. Mathankumar (age 24/2021) S/o. Kamaraj, 20, 21, Patel Street, Rudrapalayam Post, Madathukulam Taluk, Tiruppur District.

	7. Parthibaraj @ Parthimraj (age 26/2021) S/o. Shanmugavel, 26/26, Kilakku Street, 11 th Ward, Rudrapalayam Post, Madathukulam Taluk, Tiruppur District.
Dated of filing of complaint	: 14.12.2021
Date of arrest	: A1 to A7 - 14.12.2021
Date of release on bail	: A1 to A7 - 20.12.2021
Date of commencement of trial	: 01.07.2022
Date of the trial ended	: 30.07.2026
Charge against the accused	: U/s.147, 148, 427,447, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act
The Accused's Response	: Accused denied the charges
Judg's decision and judgment	Acquittal
Judgment Date	24.08.2026

This case was filed on 24.02.2022 and coming today, for final hearing, before me, in the presence of Mr.S.Senthilkumar, M.A.,B.L.,Assistant Public prosecutor Grade-I, representing for the State and Mr. A. Eswaran B.Sc.B.L., 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. The Inspector of police, Komaralingam police station has laid final report that, on 13.12.2021, at about 22.00 hours, on the Kuppampalayam – Andipatty road, near the Kuppampalayam Karvembu mill, the 1st to 7th accused with an intention to cause riot trespassed into the mill premises, the 1st to 7th accused abused the P.W.1 with obscene words, the 1st, 4th to 7th accused abused the P.W.3 and his wife Krishnaveni as to their upbringing of their children, the 1st to 7th accused beat the

P.W.1 with hands and kicked with legs, 1st, 4th to 7th accused beat the P.W.3 and his wife Krishnaveni with stone and stick causing simple injury, the 1st to 7th accused pushed the P.W.4 and P.W.5 to ground and beat with stone, the 3rd accused beat the P.W.1 with garden hoe (மணர் வெட்டி) on the back of his head and on the left eyebrow causing simple injury, the 2nd accused beat the P.W.2 with a knife (அரிவாள்) on the left middle finger and ring finger causing simple injury, the 2nd accused by showing the knife, the 3rd accused by showing the garden hoe along with other 5 accused have threatened the P.W.1 with life, the 3rd accused with the garden hoe have damaged the P.W.4's TN 78 Q 0994 Bajaj CD100 two wheeler, the 2nd accused have pulled the hand of P.W.2 and pushed her down and the 1st accused have pulled the hand of P.W.3's wife Krishnaveni and pushed her down and thereby the 1st accused have committed offences under sections 147, 148, 447, 294(b), 323 and 506(ii) of Indian Penal Code (in short I.P.C.) and section 4 of Tamil Nadu Prohibition of Harassment of Wome Act, 1998 (in short TNPHW Act), the 2nd accused have committed offences under sections 147, 148, 447, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 3rd accused have committed offences under sections 147, 148, 447, 427, 294(b), 323, 324 and 506(ii) of I.P.C, the 4th to 7th accused have committed offences under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C. The final report was perused and taken on file on 24.02.2022. Summons was ordered to be issued to all the accused.

2. All the accused appeared on receipt of the summons. On 19.04.2022, the copies of the documents and statements relied upon the prosecution were furnished to all the accused at free of cost under section 207 of code of Criminal Procedure (in short Cr.P.C). Having satisfied that section 207 Cr.P.C was complied with, on 01.07.2022 charges were framed against the 1st accused under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 2nd accused under sections 147, 148, 447, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 3rd accused under sections 147, 148, 447, 427, 294(b), 323, 324

and 506(ii) of I.P.C, the 4th to 7th accused under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C. The charges were read over and explained to all the accused and asked whether they plead guilty or claim to be tried. All the accused denied the commission of the offence, pleaded not guilty and claimed to be tried. Upon denial by all the accused, the prosecution was asked to let in their evidence, to prove the guilt of the accused.

3. On the side of prosecution, totally 16 witnesses were cited and Seven of them – P.W.1 to P.W.7 were examined, Thirteen documents – Exs.P1 to P13 were marked as exhibits. Five material objects – P.M.Os.1 to 5 were exhibited. The injured and the defacto complainant was examined as P.W.1, another injured was examined as P.W.2, three eye witnesses were examined as P.Ws.3 to 5, one of the witnesses to the investigation at the place of occurrence, preparation of observation mahazar, rough sketch and seizure mahazar was examined as P.W.6, the present Special Sub Inspector of police was examined as P.W.7, who adduced, based on records, about the registration of first information report, investigation and filing of final report.

4. **The case of the prosecution is :**

i. On 13.12.2021, at about 22.00 hours, on the Kuppampalayam – Andipatty road, near the Kuppampalayam Karvembu mill, the 1st to 7th accused with an intention to cause riot trespassed into the mill premises, the 1st to 7th accused abused the P.W.1 with obscene words, the 1st, 4th to 7th accused abused the P.W.3 and his wife Krishnaveni as to their upbringing of their children, the 1st to 7th accused beat the P.W.1 with hands and kicked with legs, 1st, 4th to 7th accused beat the P.W.3 and his wife Krishnaveni with stone and stick causing simple injury, the 1st to 7th accused pushed the P.W.4 and P.W.5 to ground and beat with stone, the 3rd accused beat the P.W.1 with garden hoe (மண் வெட்டி) on the back of his head and on the left eyebrow causing simple injury, the 2nd accused beat the P.W.2 with a knife (அரிவாள்) on the

left middle finger and ring finger causing simple injury, the 2nd accused by showing the knife, the 3rd accused by showing the garden hoe along with other 5 accused have threatened the P.W.1 with life, the 3rd accused with the garden hoe have damaged the P.W.4's TN 78 Q 0994 Bajaj CD100 two wheeler, the 2nd accused have pulled the hand of P.W.2 and pushed her down and the 1st accused have pulled the hand of P.W.3's wife Krishnaveni and pushed her down. The P.Ws.3 to 5 witnessed the occurrence.

ii. The injured P.Ws.1, 2 and one Krishnaveni have availed treatment at Udumalpet Government hospital. On 14.12.2021, the then Sub Inspector of Police, upon intimation have gone to Udumalpet Government hospital, recorded the statement of P.W.1 who was under treatment and based on the same, registered a First Information Report in Cr.No.507/2021, under sections 147, 148, 447, 427, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act. The then Inspector of police, Komaralingam police station have taken the case for investigation, proceeded to the place of occurrence on 14.12.2021 at about 19.00 hours, investigated about the occurrence, prepared the observation mahazar, rough sketch in the presence of P.W.6 and one Subramani. The investigation officer seized 2 sticks of about 2 feet length, 3 stones, a knife of 1 1/2 feet length, a garden hoe with a wooden handle of 1 3/4 feet, the damaged parts of the front light of the TN 78 Q 0994 two wheeler through seizure mahazar. On 14.12.2021, the 1st accused was apprehended near the Mettukadu bus stop and he voluntarily gave confession as to the occurrence which was recorded in the presence of witnesses Palanisamy and Thirumurugan. The 1st to 7th accused were arrested on 14.12.2021 and produced before the court. The recovered material objects were produced before the court. The investigation officer then examined the doctor who treated the injured, obtained the wound certificate and recorded his statement. The investigation have then examined and recorded the statements of the witnesses. Upon completion of investigation, the investigation officer has filed the final report

under sections 147, 148, 447, 427, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act.

5. After the closure of the prosecution evidence, all the accused were questioned under section 313(1)(b) of Cr.P.C on 30.07.2026 with regard to the incriminating materials against them for which they denied the same. The accused did not produce any witness on their side and the defence side evidence was closed.

6. The case records perused. Both side arguments heard and considered.

7. Now the Point for determination is that 'Whether the prosecution has proved the case against the accused beyond all reasonable doubts or not'?

8. The Prosecution have examined 7 witnesses. The injured and the defacto complainant was examined as P.W.1, another injured was examined as P.W.2, three eye witnesses were examined as P.Ws.3 to 5, one of the witnesses to the investigation at the place of occurrence, preparation of observation mahazar, rough sketch and seizure mahazar was examined as P.W.6, the present Special Sub Inspector of police was examined as P.W.7, who adduced, based on records, about the registration of first information report, investigation and filing of final report.

9. At the outset, it could be seen that though there are three injured as per prosecution in this case namely Jagadeeshkumar, Krishnaveni and Kousalya devi, the prosecution has only examined Jagadeeshhkumar and Kousalya devi as P.Ws.1 and 2 and have not examined the other injured namely Krishnaveni. With regard to the injuries sustained by the P.Ws.1, 2 and Krishnaveni, the wound certificates of P.Ws.1, 2 and Krishnaveni were exhibited as Exs.P11 to 13. It could be seen that the P.W.1 have sustained simple injuries, the P.W.2 have sustained simple injuries and the other injured Krishnaveni have sustained simple injuries and it is imperative upon this

Court to ascertain whether the prosecution has been able to bring enough evidence to show that the said injuries were caused by the accused herein.

10. In the present case, as already seen five occurrence witnesses have been examined by the prosecution including the two injured of which one is the defacto complainant. The P.W.1 have adduced that there was a wordy altercation between him and the 2nd accused and due to the previous enmity, the P.W.1 gave statement to the police connecting the accused herein. The P.W.1 have further adduced that he does not know the contents of the Ex.P.1. statement recorded. As the P.W.1 did not adduce in its support, the prosecution, with the leave of the court, cross examined the P.W.1 and nothing incriminating against the accused was brought out during the cross examination.

11. The three eye witnesses, examined by the prosecution as P.Ws.2 to 4 did not adduce in support of the prosecution. The prosecution, with the leave of the court, cross examined the P.Ws.2 to 4 and nothing incriminating against the accused was brought out during the cross examination of the said witnesses. With four out of the five occurrence witnesses including one injured not adducing in its support, the prosecution case hinges on the evidence of the P.W.2.

12. The P.W.2 – Kousalya devi, one of the injured in the occurrence and the sister of the P.W.1 have adduced that, about 2-1/2 years ago (the P.W.2 was examined on 28.11.2014) at about 22.00 hours, all the 7 accused knocked on the back door of the house in which they were residing at the mill. Her brother went to see and P.W.2 also upon hearing a sound went there. At that time, the 7 accused were speaking with her brother and one of them scolded the P.W.1 with obscene words. Hearing the sound, the P.W.2's parents came and called the mill owner over phone and P.W.4 and P.W.5 came there. When the P.W.4 asked the accused to come during day time they all beat the owner. The P.W.2's brother the P.W.1 tried to restrain them and they all

beat the P.W.1 too. The 2nd accused, with a garden hoe, beat the P.W.1 and caused cut injury on his head and eyes. When they again tried to beat the P.W.1 with a knife, the P.W.2 intervened and sustained cut injury on her hand. The accused Gnanavel with a stone beat the P.W.5 on his chest. The P.Ws.1 and 2 were bleeding and the accused threw the garden hoe and the knife there itself and fled away. They were taken to Udumlapet government hospital.

13. It could be seen that the P.W.2 have adduced in support of the prosecution during chief examination. Though the exact version of sequence of events and injury sustained were not stated, the P.W.2 evidence seem to be in support of the prosecution. During the cross examination, the P.W.2 have adduced completely opposite to what she stated during the chief examination and have adduced that she did not see the events directly and the injury which she sustained was due to her falling on her own when she went out after hearing a sound. The P.W.2 evidence is totally unreliable as she has taken completely different stances during chief and cross examination held on the same day one after the other ruling out any possibility of being influenced also. Thus the entire occurrence witnesses produced by the prosecution is of no avail to them and nothing incriminating is brought against the accused herein.

14. Adding to the agony of the prosecution, the P.W.6, one of the witnesses to the investigation at the place of occurrence, preparation of the observation mahazar and rough sketch also did not adduce in support and the prosecution, with the leave of the court, cross examined the P.W.6 and nothing incriminating against the accused was brought out during the cross examination of the said witness.

15. The P.W.7, the present special sub Inspector of police, Komaralingam police station has adduced, based on records, about the receipt of information, registration a First Information Report in Cr.No.507/2021, under sections 147, 148,

447, 427, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act, about the investigation at the the place of occurrence, preparation of the Observation Mahazar and rough sketch in the presence witnesses and thereafter the examination and recording of the statements of the witnesses. The P.W.7 have further adduced about the arrest of the accused, examination of the doctor, obtaining the wound certificates and recording his statement and about the completion of investigation and filing of final report. The evidence of the P.W.7 alone is not suffice to hold the accused liable for the offences alleged.

16. For the reasons aforerecorded, this court comes to the conclusion that the prosecution has not produced clear, cogent and sufficient evidence to prove the guilt of the 1st accused under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 2nd accused under sections 147, 148, 447, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 3rd accused under sections 147, 148, 447, 427, 294(b), 323, 324 and 506(ii) of I.P.C, the 4th to 7th accused under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C, beyond all reasonable doubts. Accordingly, I answer the point.

17. In fine, this court concludes that the 1st accused is found NOT GUILTY under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 2nd accused is found NOT GUILTY under sections 147, 148, 447, 294(b), 323, 324 and 506(ii) of I.P.C and section 4 of TNPHW Act, the 3rd accused is found NOT GUILTY under sections 147, 148, 447, 427, 294(b), 323, 324 and 506(ii) of I.P.C, the 4th to 7th accused are found NOT GUILTY under sections 147, 148, 447, 294(b), 323 and 506(ii) of I.P.C and the 1st to 7th accused are ACQUITTED under section 248(1) of Cr.P.C and are set at liberty.

18. The Garden hoe, one sickle, three stones (hand-sized), two sticks (2 feet in length), and broken headlight parts from a two-wheeler bearing registration

number TN 78 Q 0994 have been marked as case P.M.O.1 to P.M.O.5 by this Court under P.R. No. 66/2021, dated 23.12.2021. As these properties serve no further purpose, an order is issued for their destruction following the expiry of the appeal period.

Typed directly in my laptop, corrected and pronounced by me in the open court, this 28th day of August, 2026.

**District Munsif Cum Judicial Magistrate,
Madathukulam.**

Annexure;

List of witnesses examined on the side of prosecution;

S.No.	Prosecution Witness No.	Date	Name of the Witness	Description
1.	P.W.1	29.08.2024	Jegadeeshkumar	Complainant
2.	P.W.2	28.11.2024	Kousalyadevi	Eye Witness
3.	P.W.3	28.11.2024	Iyappan	Eye Witness
4.	P.W.4	14.05.2026	Thangavel	Eye Witness
5.	P.W.5	14.05.2026	Gnana Selvam	Eye Witness
6.	P.W.6	17.07.2026	Rathinaraj	Observation Mahazar, Seizure Mahazar
7.	P.W.7	23.07.2026	Janagarajan	Sub Inspector of Police

List of documents marked on the side of prosecution;

S. No.	Exhibit No.	Description of the Exhibit	Proved by/ Attested by
1.	Ex.P.1	Signature by P.W.1 in Complaint Statement	P.W.1
2.	Ex.P.2	1 st Signature by P.W.6 in Observation Mahazar	P.W.6

3.	Ex.P.3	1 st Signature by P.W.6 in Seizure Mahazar	P.W.7
4.	Ex.P.4	Complaint Statement	P.W.7
5.	Ex.P.5	First Information Report	P.W.7
6.	Ex.P.6	Observation Mahazar	P.W.7
7.	Ex.P.7	Rough Sketch	P.W.7
8.	Ex.P.8	Seizure Mahazar	P.W.7
9.	Ex.P.9	Signature by P.W.7 in confession Statement	P.W.7
10.	Ex.P.10	Form 91	P.W.7
11.	Ex.P.11	Jegadeeskumar – Wound Certificate	P.W.7
12.	Ex.P.12	Krishnaveni – Wound Certificate	P.W.7
13.	Ex.P.13	Kousalya – Wound Certificate	P.W.7

List of material objects marked on the side of prosecution;

S.No.	Material Object No.	Description of the Exhibit	Proved by/ Attested by
1.	M.O.1	The Garden hoe	P.W.2
2.	M.O.2	Sickle - 1	P.W.2
3.	M.O.3	Stones (hand-sized) - 3	P.W.2
4.	M.O.4	Sticks (2 feet in length) -2	P.W.7
5.	M.O.5	Broken headlight parts from a two-wheeler bearing registration number TN 78 Q 0994	P.W.7

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

**District Munsif Cum Judicial Magistrate,
Madathukulam.**

Note

- 1) Accused acquitted under Section 248(1)Cr.P.C.
- 2) Result of this case informed to the concerned Police station.
- 3) Date of Judgment 28.08.2026

Copy humbly submitted to

The Hon'ble Chief Judicial Magistrate, Tiruppur.