

TNTR31-002921-2025
IN THE COURT OF JUDICIAL MAGISTRATE NO.I, PONNERI
Present: Tmt. Saranya Selvam, B.A., B.L., (Hon's),M.L., PGDITL.,
Judicial Magistrate No.I, Ponneri.
Dated this Wednesday on 17th June 2026
C.C.No.274/2025

State, rep. by

Sub Inspector of Police,

Ponneri Police Station,

Cr.No. 70/2025,

U/s. 324(2), 115(2), 296(b), 118(1) BNS.

.....Complainant

.../Vs/...

A1 - Prasanth,

S/o. Peter,

No. 04, Perumal kovil street, Singilimedu,

Thadaperumbakkam, Ponneri.

.....Accused Person

This case having been taken on file on 16.09.2025 in this court and coming up before me for final hearing today in the presence of Assistant Public Prosecutor Gr.II, Learned Counsel for the Complainant and Mr. Shankar and Mr. Sarath Kumar Learned Counsels for the accused persons and upon hearing both sides and perusing the evidence on records and having stood over for consideration till this day this court delivered the following:-

JUDGMENT

The Sub Inspector of Police, Ponneri Police Station laid final report against the accused persons alleged that on 15.02.2025 at about 08:20 a.m., a wordy quarrel arose between PW1 and the accused regarding the use of PW1's mobile phone. The accused challenged PW1 to come to Krishnapuram and left. At about 08:45 a.m., near Murali Tea Stall, Krishnapuram Junction, another quarrel took place, during which the accused allegedly abused PW1 in obscene language, damaged his mobile phone, assaulted him with hands, and struck him on the head with a brick, causing a simple injury and thereby committing the offence punishable U/s. 324(2), 115(2), 296(b),

118(1) BNS and the same was perused and taken on file and ordered to issue summon to the stated accused person.

The accused person was present before this Court on service of summons, free copies of the document, which were relied upon by the prosecution was furnished to him u/s. 207 of Cr.P.C. When the accused was questioned about the alleged involvement in the offences in Tamil, the accused denied the offence. Hence charges were framed against the accused person U/s. 324(2), 115(2), 296(b), 118(1) BNS. He denied the charges as false and claimed to be tried. Upon denial by the accused person, the prosecution was asked to let his side evidence to prove the guilt of the accused person.

In order to prove the charges against the accused person, the prosecution examined LW1/Rajavel as PW1, LW2/Balamurugan as PW2, LW12/Karthickraja, Sub Inspector of Police as PW3 and documents were marked as Ex.P1 to Ex.P10 in support of its case. The case properties were marked as M.O.1 and M.O.2.

Brief facts of the prosecution case is as follows:-

On 15.02.2025 at about 08:20 a.m., a wordy quarrel arose between PW1 and the accused regarding the use of PW1's mobile phone. The accused challenged PW1 to come to Krishnapuram and left. At about 08:45 a.m., near Murali Tea Stall, Krishnapuram Junction, another quarrel took place, during which the accused allegedly abused PW1 in obscene language, damaged his mobile phone, assaulted him with hands, and struck him on the head with a brick, causing a simple injury and thereby committing the offence punishable U/s. 324(2), 115(2), 296(b), 118(1) BNS. While Karthickraja, Sub Inspector of Police was incharge of Ponneri police station, one Rajavel lodged complaint/**Ex.P1** on 19.02.2025. Based on the complaint, he registered FIR/**Ex.P2** against the accused person for the offence U/s. 324(2), 115(2), 296(b), 118(1) BNS vide Cr. no. 70/2025. Thereafter, he

reached the scene of occurrence and prepared observation mahazar/**Ex.P3** and Rough sketch/**Ex.P4** in the presence of witnesses Manikandan and Prabhudevan. He arrested the alleged accused on 23.02.2025 at 10.40 am near Ponneri Thadamberubakkam panchayat office. The accused voluntarily confessed regarding the offence and the same was recorded in the presence of Abdhul Rashith and Munisekar. Based on the admitted portion in the confession statement/**Ex.P5**, the case property seized vide Seizure Mahazar/**Ex.P6** and the same was produced before this Court vide Form 91/**Ex.P10** and the properties were marked as **M.O.1** and **M.O.2**. Thereafter, he enquired the Doctor, who gave treatment to the injured and obtained Accident Register/**Ex.P7**. The injured person was subsequently referred to Stanley Medical College Hospital for further treatment. The doctor, Dhanaraj, gave treatment to the injured and obtained wound certificate/**Ex.P8**. Based on the statements of witnesses, he altered sections from U/s. 324(2), 115(2), 296(b), 118(1), 351(3) BNS to U/s. 324(2), 115(2), 296(b), 118(1) BNS vide alteration Report/**Ex.P9**. On completing the investigation, filed final report before this Court seeking to punish the accused for the offences U/s. 324(2), 115(2), 296(b), 118(1) BNS.

After completion of prosecution side evidence, the accused persons questioned u/s. 313[1][b] of Cr.P.C on the basis of incriminating evidence given by prosecution witnesses. Hence the defence side evidence closed.

The point for determination in this case is whether the prosecution has proved the charges against the accused person U/s. 324(2), 115(2), 296(b), 118(1) BNS beyond reasonable doubts?

The prosecution case in brief is stated as follows:-

PW1/ Rajavel during his evidence deposed on 23.03.2025, a person named Prashanth had asked him for his mobile phone to make a call. When he refused to

give the phone, a verbal altercation arose between them. Thereafter, he lodged a complaint regarding the incident at the Ponneri Police Station.

Pw2/Balamurugan deposed that PW1 was his uncle. He further stated that he was aware of a dispute between his uncle and the accused regarding a mobile phone. Based on that incident, his uncle had lodged a complaint.

PW3/Karthickraja, SI regarding the registration, investigation and laying of final report by the then Investigating Officer.

The Learned App appearing on the side of prosecution argued before this Court that based on the oral and documentary evidence, the prosecution has proved its case beyond reasonable doubts.

The defence counsel argued that the main injured victim has failed to elucidate the manner of occurrence and injury inflicted to him. No other occurrence witnesses supported the case of prosecution. Hence prayed for acquittal.

Heard both sides and records perused. The main injured witness deposed nothing relevant to the case. The oral testimony of the injured is mum regarding filthy language used by the accused and injury inflicted to him. Only on disclosing those facts, it takes the matter in further to appreciate U/s. 324(2), 115(2), 296(b), 118(1) BNS. Though, the contents in the complaint been admitted by the complainant, the same is not corroborated during his chief examination, which is vital in drawing adverse inference against the accused persons. There is no evidences to substantiate the occurrence. Except stating wordy quarrel. Thus on the basis of available evidences on the side of prosecution, it is seen that the prosecution has not come forward with full fact of the case before this Court and thus the Prosecution failed miserably to prove the act of the accused person to constitute offences U/s. 324(2),

115(2), 296(b), 118(1) BNS. Furthermore, no key ingredients to constitute the offence U/s. 324(2), 115(2), 296(b), 118(1) BNS is proved. Therefore, this Court comes to the conclusion that the prosecution has miserably failed to prove the guilt of the accused in the absence of substantive as well as corroborative evidences.

In the result, the accused persons are found not guilty for the offence U/s. 324(2), 115(2), 296(b), 118(1) BNS and the accused persons are acquitted u/s. 271[1] of BNSS. Case properties in P.I No. 75/2025 (cellphone and brick) is hereby ordered to be destroyed of no use.

Directly typed to my dictation, corrected and pronounced by me in the open court on this 17th day of June 2026.

Judicial Magistrate No.I,
Ponneri.

List of Prosecution witnesses :

PW1	14.05.2026	Rajavel
PW2	14.05.2026	Balamurugan
PW3	04.06.2026	Karthickraja, Sub Inspector of Police

List of Prosecution Exhibits :

Ex.P1	Complaint
Ex.P2	FIR
Ex.P3	Observation mahazar
Ex.P4	Rough sketch
Ex.P5	Admitted portion in the confession statement
Ex.P6	Seizure mahazar
Ex.P7	Accident register
Ex.P8	Wound certificate
Ex.P9	Alteration report
Ex.P10	Form 91

LIST OF DEFENCE WITNESSES : Nil

LIST OF DEFENCE EXHIBITS : Nil

LIST OF MATERIAL OBJECTS

M.O.1- Cellphone

M.O.2- Brick

Note:

1. No witness was retained for more than three times.
2. Result of the case was informed to the concerned police.

Judicial Magistrate No.I,
Ponneri.