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**IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC,
AT MAGADI**

PRESENT: SMT.DHANALAKSHMI.M, B.A.L., LL.B.,
Addl. Civil Judge & JMFC,
Magadi, Ramanagara District.

Dated: This 20th day of November, 2025

Criminal Case No:6395/2022

Complainant : The state by
Kudur Police Station.

(By Asst. Public Prosecutor)

--- V/s ---

Accused Persons :

1. Vishwa,
S/o Hanumantharayappa,
Aged about 30 years,
Residing at Udugunte
Village,
Soluru Hobli,
Magadi Taluk.
2. Hanumantharayappa,
S/o Thimmarayappa,
Aged about 60 years,

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Residing at Udugunte
Village,
Soluru Hobli,
Magadi Taluk.

{By Sri.G.H.M.,Advocate}

Date of offence.	:	25.04.2022
Date of report of incident	:	28.04.2022
Name of the complainant	:	Rudramma
Name of the accused ,his age and his parentage	:	As stated above
Offences alleged	:	Under Sections 324, 326 read with Section 34 of Indian Penal Code.
Date of commencement of evidence	:	18.11.2025
Date of completion of evidence	:	18.11.2025
Plea of the accused	:	Does not plead guilty
Opinion of the Judge	:	Accused found not guilty
Date on which Judgment pronounced	:	20.11.2025

(SMT.DHANALAKSHMI.M)
Addl. Civil Judge and JMFC,
Magadi.



JUDGMENT

The PSI, Kudur Police Station has filed the Charge Sheet against the accused persons for the offences punishable Under Sections 326, 324 read with Section 34 of Indian Penal Code.

2. **The brief facts of the Prosecution case is that:**

That, on 25.04.2022 at about 7:30 a.m. at Soluru Hobli, Udukunte Village, when accused No.2 and CW-2 were talking with each other, accused No.1 assaulted CW-2 by club on his right hand and head and caused simple and grievous injuries and thereby committed aforesaid offences.

3. After filing of charge sheet this court took cognizance for the offences punishable Under Sections 326, 324 read with Section 34 of Indian Penal Code and registered in Criminal Register and issued summons to the



Accused persons. In response to the summons, the accused persons have appeared before this court through their counsel and enlarged on bail. After submission of charge sheet, the copy of the prosecution papers was furnished to the accused persons as required under section 207 of Cr.p.c. After hearing from both sides charges were framed Under Sections 326, 324 read with Section 34 of Indian Penal Code, read over and explained to the accused persons for which, they have pleaded not guilty and claims to be tried.

4. In order to prove the case, the prosecution has got examined PW1 and 2 and got marked documents ExP1 to 3.

5. As there are no incriminating material in prosecution evidence, examination of accused person Under Section 313(1)(b) of Code of Criminal Procedure, 1973 is dispensed.

6. Heard the arguments on both the sides and



perused the materials on records.

7. The following points that arise for the consideration of this court are:

1. Whether the prosecution proves beyond all reasonable doubt that, on 25.04.2022 at about 7:30 a.m. at Soluru Hobli, Udukunte Village, when accused No.2 and CW-2 were talking with each other, accused No.1 assaulted CW-2 by club on his right hand and head and caused simple and grievous injuries and thereby committed an offence punishable under section 324 and 326 read with Section 34 of Indian Penal Code ?

2. What order?



8. The findings of this court to aforesaid points are as here under:

Point No. 1	:	In the Negative.
Point No. 2	:	As per final order for the following.

REASONS

9. **Points No.1:-** That, on 25.04.2022 at about 7:30 a.m. at Soluru Hobli, Udukunte Village, when accused No.2 and CW-2 were talking with each other, accused No.1 assaulted CW-2 by club on his right hand and head and caused simple and grievous injuries and thereby committed aforesaid offences.

10. In order to bring home the charge against accused persons the prosecution has examined 2 witness as PW1 and PW2. PW1 is complainant and PW2 is the eye witness and got marked 3 documents Exp1 to 3.

11. Before adverting to the appreciation of evidence, it is proper to state in brief the evidence deposed by the



prosecution witness.

12. C.W.1 examined as P.W.1 – Rudramma, who is the complainant, she deposed that, she does not know any information regarding in the incident and she did not seen any incident and accused persons did not assaulted her and no mahazar has conducted in her presence. Witness identified the complaint which was marked as Ex.P.1 and her signature marked as Ex.P.1(a). She does not know the contents of the Ex.P.1 and she affixed signature on Ex.P.1 on request of Police. Witness identified the mahazar which was marked as Ex.P.2 and her signature marked as Ex.P.2(a). She does not know the contents of the Ex.P.2 and she affixed signature on Ex.P.2 on request of Police.

13. C.W.2 examined as P.W.2 – Gangarangaiah, who is the eye witness, he deposed that, he does not know any information regarding in the incident and he did not seen any incident and accused persons did not assaulted him.



14. With the above evidence, this court is to ascertain whether the prosecution has proved the guilt of the accused beyond all reasonable doubts.

15. On perusal of the evidence of PW-1 and 2, it is clear that, they have not supported the case of the Prosecution whole heartedly. Further the witness has not deposed in accordance with the story of the prosecution. The evidence of PW-1 and 2 does not contain incriminating evidence against the accused persons. There is no evidence on record to believe involvement of accused persons in the crime. The prosecution has not proved the story put forth in the first information statement and also in the charge sheet. In the absence of corroborative evidence, the exhibited documents are not sufficient to prove the guilt against the accused persons for which they have been charge sheeted. Hence, the entire case of the prosecution is not free from doubt and the accused persons have to be given benefit of doubt. The prosecution failed to prove the guilt against the accused persons and the

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accused No.1 and 2 entitled for acquittal. **Accordingly, I answer Points No.1 to 4 in the 'NEGATIVE'.**

16. **Point No.5:** In view of '**Negative**' finding's on the above points, I proceed to pass the following:

ORDER

- Acting U/Sec.248(1) of Cr.P.C. accused No.1 and 2 are acquitted for the offences punishable Under Sections 326, 324 read with Section 34 of Indian Penal Code.
- Accused No.1 and 2 is set at liberty.
- Their bail bond and surety bond of the accused No.1 and 2 shall continued as contemplated Under Section 437(A) of Crpc for period of 6 months.

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- The properties mentioned in PF
No.165/2022 i.e club shall be
destroyed after appeal period.

(Dictated to the Stenographer online she typed online, Judgment corrected and signed by me, then pronounced by me in the Open Court on this the 20th day of November, 2025).

(SMT.DHANALAKSHMI.M)
Addl. Civil Judge & JMFC,
Magadi.

ANNEXURES

List of the Witnesses examined by the Prosecution:

P.W.1	Rudramma	C.W.1	18.11.2025
P.W.2	Gangarangaiah	C.W.2	18.11.2025

List of the Documents exhibited for the Prosecution:

Exp1 : Complaint
Exp1(a) : Signature of PW1
Exp2 : Mahazar
Exp2(a) : Signature of PW1
Exp3 : Statement of PW1

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List of the MOs marked on behalf of the Prosecution:

--Nil—

List of the Witnesses examined for defence:

--Nil—

List of the Documents exhibited for defence:

--Nil--

List of the MOs marked on behalf of Defence:

--Nil--

**(SMT.DHANALAKSHMI.M)
Addl. Civil Judge & JMFC,
Magadi.**