

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE, PIRAVOM

Present:- Sri. Anand A.B., (Judicial First Class Magistrate, Piravom)

Saturday the 17th day of January, 2026/ 27th day of Pousha, 1947.

Calender Case No. 511/2022

Complainant	:	State of Kerala represented by SI of Police, Piravom in Crime No.634/2022. <i>By Sudheesh S., APP Piravom</i>
Accused	:	Biju K. Peter, S/o. Pathrose, aged 46/22, Kuppeparambil House, Piravom kara, Piravom Village. <i>By Adv. P.M. Regi.</i>
Offences	:	U/ss.341, 323, 294(b), 506 of IPC.
Plea	:	Not guilty
Finding	:	Not guilty
Sentence or order	:	Accused is acquitted u/s.255(i) of CrPC.

This case coming on for hearing today, the court passed the following:-

J U D G M E N T

This case is charge sheeted by the SI of police, Piravom, alleging that the accused has committed the offences punishable U/ss.341, 323, 294(b), 506 of IPC.

2. The prosecution case in brief is as follows:- Due to the previous animosity towards the defacto complainant, on 11.06.2022 at 7.00 pm, at Piravom Village, the accused verbally abused the first witness, held him down unjustly, and hit him in the face with his hand, causing him pain. Then, on 16.1.2022 at 9.30 AM, the accused again restrained the first witness, subjected him to physical abuse, and threatened to kill him. Thus, the accused is alleged to have committed the aforesaid offences.

3. This case has been instituted on the basis of Ext.P1 FI Statement given before CW9 and registered this case as Cr.634/2022. Subsequently, CW11 conducted investigation and after completion of investigation, he laid final report under S.173(2) of the Code of Criminal Procedure, 1973.

4. On appearance of the accused, copies of records relied on by the prosecution was furnished to him. Particulars of offences U/ss.341, 323, 294(b),

506 of IPC were read over and explained to the accused to which he pleaded not guilty. On the side of the prosecution, PW1 was examined and Ext.P1 and P2 were marked.

5. As no incriminating circumstances was brought out in evidence against the accused, this court has not questioned the accused under S.313 CrPC. No defence evidence was adduced.

6. Heard both sides.

7. Points arise for consideration as follows:-

1. Whether the accused wrongfully restrained PW1 as alleged by the prosecution?

2. Whether the accused voluntarily caused hurt on PW1 as alleged by the prosecution?

3. Whether the accused has uttered any obscene words on PW1 as alleged by the prosecution?

4. Whether the accused criminally intimidated to kill PW1 as alleged by the prosecution?

5. If found guilty, what is the sentence to be imposed?

8. **Points No.1 to 4 :-** The prosecution case is that due to the previous animosity towards the defacto complainant, on 11.06.2022 at 7.00 pm, at Piravom Village, the accused verbally abused the first witness, held him down unjustly, and hit him in the face with his hand, causing him pain. Then, on 16.1.2022 at 9.30 AM, the accused again restrained the first witness, subjected him to physical abuse, and threatened to kill him.

9. The prosecution has examined PW1. PW1 is the defacto complainant. Since PW1 turned hostile to the prosecution, the learned APP has given up the remaining witnesses CW2 to CW11. As the offence is concerned, there is no evidence before this court to fasten any criminal liability of the alleged offences on the accused. Under the above circumstances, the accused is entitled for an acquittal. Point Nos.1 to 4 are found against the prosecution.

10. **Point No. 5:-** In view of the finding in the above said points, this point does not require for consideration.

In the result,

1. The accused is found not guilty for the offences U/ss.341, 323, 294(b), 506 of IPC.

2. The accused is acquitted for the said offences under S.255(1) CrPC.
3. The bail bond executed by him stands cancelled and he is set at liberty.
4. No property was produced in this case.

(Dictated to the Confidential Assistant, transcribed and typed by him, corrected by me and pronounced in open court, this the 17th day of January, 2026)

sd/-

**Judicial First Class Magistrate
Piravom**

APPENDIX

Witness examined for the prosecution:-

PW1:- Jimmy M. Joy (CW1)

Witness examined for the defence:- Nil.

Exhibits marked for the prosecution:-

Ext.P1- FIS dated 16.06.2022.

Ext.P2- Compounding petition dated 14.01.2026.

Exhibits marked for defence:- Nil.

Material objects marked:- Nil

sd/-

**Judicial First Class Magistrate
Piravom**

TABULAR FORM AS PER RULE 132 OF THE CRIMINAL RULES OF PRACTICE

1	Serial Number	:	CC.511/2022
2	Name of the Police Station and the Crime Number of the offence	:	State of Kerala represented by SI of Police, Piravom in Crime No.634/2022.

Description of accused

3	Name (and Rank)	:	Biju K. Peter
4	Father's name	:	Pathrose
5	Occupation	:	
6	Residence	:	Kuppeparambil House, Piravom kara, Piravom Village.
7	Age	:	46/22

Date of

8	Occurrence	:	06/11/22
9	Complaint	:	16.06.2022
10	Apprehension	:	13.05.2024
11	Release on bail	:	13.05.2024
12	Commitment	:	

13	Commencement of trial	:	17.07.2024
14	Close of trial	:	14.01.2026
15	Sentence or order	:	17.01.2026
16	Service of copy of judgment or finding on accused	:	
17	Explanation of delay	:	No delay
18	Period of detention undergone during investigation, inquiry or trial for the purpose of Section 428 of Cr.PC.	:	-

sd/-

**Judicial First Class Magistrate
Piravom**

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**Judicial First Class Magistrate
Piravom**