

KABC030460752021



**IN THE COURT OF THE I ADDL.CHIEF JUDICIAL
MAGISTRATE, BENGALURU**

Dated: This the 02nd day of February 2026

PRESENT: **SRI.MANJUNATHA.K.P,**
B.A.L., LL.B.,
I Addl. Chief Judicial Magistrate, Bengaluru

C.C.No.15754/2021

COMPLAINANT :- State by CID Cyber Crime Police
Station

(By Sr.APP)

ACCUSED :- Alpesh Patel
S/o. Late Babu boy S Patel
Aged about 44 years,
R/at No. 142, Nature-city,
Uslapura, Bilaspura, Chattisgada

(By N.C.S., Adv.,)

JUDGMENT

This final report filed by the CID Cyber Crime PS police station against the accused for the offences punishable U/s.67 of IT Act and Sec. 504 of IPC.

2. **BRIEF FACTS :-** Case of the prosecution is that accused has used the unparliamentary words towards Infosys Limited company and towards Hon'ble President of India and America President in his email.I.D patelbalpesh@yahoo.com i.e., against “Infosys Limited” as “Respected Mother Fucker President, I have written to you that Accenture is spreading terrorism in the society in my name and also requested you to tell the promoter of Accenture to wind up their investment from India. But you have not done that so. Since you have not done this, I am assuring you that I will fuck the Government of United States of America like Dog. I have copy of all the mail sent to the President of USA including mail sent to Black Mother Fucker Barack Obama. I will start posting all this as petition in the web site of white house. And all other places where you want. I would also like to say that Government of USA should not give any work to Infosys as they are also spreading terrorism in the society in my name. Your kind cooperation will be highly Appreciated. Thanking you, Alpesh Patel 8878520523” to the President of India, The president of the United States of America, Mr.Donald Trump” send these messages.

3. Based on the information of CW-1, the police have registered the case, investigation was conducted and after completion of the investigation, charge sheet filed against the accused stating that he has committed the aforesaid offences.

4. The accused has entered appearance in response to the summons and has been enlarged on bail, prosecution papers has been supplied to the accused. After hearing the charge is read over and explained to the accused to which he pleaded not guilty and climes to be tried.

5. The prosecution has examined PW.1 and Ex.P.1 and Ex.P.2 are exhibited.

6. The statement under Sec.313 of Cr.P.C., was dispensed, becuaed there is no incriminating evidence against accused.

7. Heard the arguments. Perused the documents on record.

8. The following points that arise for my consideration:-

1. Whether the prosecution proves beyond reasonable doubt accused has used the unparliamentary words towards Infosys Limited company and towards Hon'ble President of India and America President in his patelbalpesh@yahoo.com i.e., against "Infosys Limited" as "Respected Mother Fucker President, I have written to you that Accenture is spreading terrorism in the society in my name and also requested you to tell the promoter of Accenture to wind up their investment from India. But you have not done that so. Since you have not done this, I am assuring you that I will fuck the Government of United States of America like Dog. I have copy of all the mail sent to the President of USA including mail sent to Black Mother Fucker Barack Obama. I will start posting all this as petition in the web site of white house. And all other places where you want. I would also like to say that Government of USA should not give any work to Infosys as they are also spreading terrorism in

the society in my name. Your kind cooperation will be highly Appreciated. Thanking you, Alpesh Patel 8878520523" to the President of India, The president of the United States of America, Mr.Donald Trump" send these messages and thereby committed an offence punishable U/s.67 of IT act and Sec. 504 of IPC?

2. What order?

9. For the reasons to be stated herein after, I answer the above points as follows:

Point No.1 - In the Negative

Point No.2 - As per the final order for the following:-

REASONS

10. **Point No.1:-** These points are connected with each other, hence he has taken up together for common discussion to avoid brevity.

11. In the instant case PW.1 is the complainant who has testified that he does not know anything about this case. That he has not given the complaint

as per Ex.P.1 in this regard. Although PW.1 subscribes to his signatures appearing in the complaint at Ex.P.1 and E-mail document ie Annexure-I Ex.P.2. He pleads ignorance to the contents of Ex.P.1 and Ex.P.2. PW.1 is turned hostile and cross-examined by the Ld.Sr.APP wherein nothing substantial is elicited in order to support the case of prosecution.

12. During the course of arguments Ld.Sr.APP and accused counsel argued as per the evidence and prays to dispose the case.

13. Further admittedly this case arise out of the complaint given by the complainant and the Investigation Officer filed charge sheet for the alleged offences and after framing the charge due to settlement of dispute between the complainant and accused, the complainant has turned hostile and in spite of cross-examination by the Ld.Sr.APP, PW.1 has not supported the prosecution case. So in the absence of

incriminating evidence the other evidence of charge sheet witnesses is taken has dropped by rejecting the prayer of Ld.Sr.APP. Because on examination of other charge sheet witnesses, that too in the absence of incriminating evidence, in the evidence of PW.1 no purpose of prosecution case will survives, so in order to save the very precious time of this court and due to compromise of dispute between the parties, this court is the opinion that the evidence of other witnesses is not at all requires, accordingly by rejecting the prayer of Ld.APP the evidence of remaining witnesses taken as nil and in the absence of incriminating evidence, the statement U/s.313 of Cr.P.C is dispensed with and then case is posted for arguments.

14. Further this court was of the opinion that PW.1 is the material witness who has compromised with the accused and therefore the remaining witnesses were dropped by rejecting the prayer of Ld.Sr.APP.

15. On considering the evidence of PW.1 the complaint at Ex.P.1, the evidence of PW.1 appears to be contradictory. The evidence of PW.1 is inconsistent with Ex.P.1. PW.1 admitted to have compromised with the accused. Therefore, I hold that the prosecution is unable to establish the guilt of the accused beyond reasonable doubt. Hence, the accused deserves to be acquitted. Therefore, I answer points No.1 in the **NEGATIVE**.

16. **Point No.1:** From the discussions on foregoing points, this court opined that prosecution has failed to establish the guilt of the accused punishable under the alleged sections 67 of IT act and Sec. 504 of IPC. Therefore, I proceed to pass the following:-

ORDER

Accused is not found guilty.

Acting U/s.248(1) Cr.P.C., I hereby **ACQUIT** the accused of the offences punishable U/sec. 67 of IT act and Sec. 504 of IPC.

The bail bond of the accused stands cancelled.

The cash security offered by accused for his release on bail shall be refunded on proper identification, after appeal period is over.

(Dictated by me on computer, typed by the Typist-Copyist, same was corrected by me and then pronounced in open Court on this the 02nd February 2026).

(Manjunatha.K.P)
I ACJM, BENGALURU

ANNEXURES	
LIST OF WITNESSES EXAMINED ON BEHALF OF PROSECUTION :-	
PW.1	Santoshnayak
LIST OF EXHIBITS MARKED ON BEHALF OF PROSECUTION :-	
Ex.P.1	Complaint
Ex.P.1(a)	Signature of PW-1
Ex.P. 2	E-mail document i.e., Annexure-I

(Manjunatha.K.P)
I ACJM, BENGALURU

02.02.2026
State by APP
Accused
For Judgment

(Judgment passed separately in the Open Court)

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I Addl.CJM

