

IN THE COURT OF JUDICIAL MAGISTRATE OF FIRST CLASS cum
JUNIOR CIVIL JUDGE, ALAMURU

Present: Dr. K. Deepa Dyva Krupa,
Judicial Magistrate of First Class – cum -
Junior Civil Judge, Alamuru

Dated the 31st day of January, 2023

CC.No.105/2023

Between:

State Represented by the Sub-Inspector of Police,
Mandapeta Town PS.

... Complainant

And

Uddandi Seshagiri, S/o. Veerraju,
Age 54 Years, C/Kapu, New Colony,
Mandapeta (v), Mandapeta (M)

... Accused

This case coming on this day for final hearing before me in the presence of learned APP for the prosecution and accused in person and upon hearing and having stood over the matter for consideration to this day, this Court delivered the following:

J U D G M E N T

1. The State Sub-Inspector of Police, Mandapeta Town PS filed charge sheet against the accused for the offence under sections 279 IPC and 185 of MV Act, in Cr.No.43/2023.

2. The Brief averments of the charge sheet are that:

On 28.01.2023, LW.3 – K. Apparao, Sub-Inspector of Police, Mandapeta Town PS received credible information that accused who is the rider of Motor Cycle bearing No. AP 05 BV 8371 drove his motor cycle in a rash and negligent manner with high speed at K.P. Center asked his name and address particulars, then he tested him the drunkenness by breath analyser, and got result which shown a reading 199 mg/100 ml, which exceeds the permissible limit of 30 mg/100 ml, then he explained him that rash and negligent driving by consuming Alcohol is a offence. Basing on the occurrence report, he registered a case in Cr.No.43/2023 u/sec. 279 IPC and 185 of MV Act, of Mandapeta Town PS on 28.01.2023, later he examined his staff members and recorded their statements, and issued 41-A Cr.P.C, notice to accused, after completion of investigation he filed charge sheet.

3. On perusal of entire record, this case was taken on file for the offence punishable under sections 279 IPC and 185 of MV Act, against the accused.

4. On appearance of the accused before this Court, the relevant copies of case papers are furnished to him as required under section 207 of Criminal Procedure Code, 1073.
5. On examination of the accused under section 251 Cr.P.C, he admitted the charge sheet allegations levelled against him. Hence, the accusation under section 279 IPC and 185 of MV Act, has been explained and read over to accused in Telugu, for which he pleaded guilty for the offence under section 279 IPC and 185 MV Act, and this Court followed the procedure contemplated under section XIX Cr.P.C.
6. In the result, accused is found guilty for the offence under section 279 IPC and 185 of MV Act, and he admitted his guilt as such he is convicted under section 252 Cr.P.C, for the said offence.
7. When the accused is questioned about the quantum of sentence, he stated that he is poor and he has to look after his family.
8. **In the result,** accused is found guilty for the offence punishable under section 279 IPC and he is convicted u/sec. 252 Cr.P.C, for the said offence and accused is sentenced to pay fine of Rs.500/- (Rupees Five Hundred only), and the accused further sentenced to pay fine of Rs.10,000/- (Rupees Ten Thousand only) for the offence punishable under section 185 of MV Act, in default payment of fine, the accused shall suffer simple imprisonment for a period of two days.

Typed to my dictation by the Typist on computer, corrected and pronounced by me in the Open Court, this the 31st day of January, 2023.

Sd/- . K. Deepa Dyva Krupa,
Judicial Magistrate of First Class – cum -
Junior Civil Judge, Alamuru.

APPENDIX OF EVIDENCE

No Oral or Documentary Evidence is adduced on either side.

Sd/- . K. Deepa Dyva Krupa,
Judicial Magistrate of First Class – cum -
Junior Civil Judge, Alamuru.