

Sum C.Case No.01/2018

St-Vs- Nagesh

Exh No.03.

IN THE COURT OF JUDICIAL MAGISTRATE F.C. AT
SIRONCHA , DISTRICT - GADCHIROLI

PLEA OF ACCUSED

- 1) Date of offence : 31.12.2017
- 2) Date of report : 31.12.2017
- 3) Name of complainant : State through P.S. Sironcha,
- 4) Name of accused: Nagesh Malayya Charlawar
Age about 30 years, Occu.Labor,
R/o.Kottagudam, Tah. Sironcha,
District- Gadchiroli.

Particulars of offence : -

Firstly, that on 31/12/2017 at about 18.50 hours on Kaleshwar to Sironcha road you above named accused found driving your two wheeler vehicle bearing No.MH-33-E-7338 without having effective driving license issued by the competent authority and thereby committed an offence punishable under section 3/181 of the Motor Vehicles Act and within my cognizance.

Secondly, on the aforesaid date, time and place, you above named accused was found driving your aforesaid vehicle under the influence of liquor and thereby committed an offence punishable under section 185 of the Motor Vehicles Act and within my cognizance.

And I hereby direct that you be tried on the said particulars.

Date :- 01/01/2018

Judicial Magistrate First Class
Sironcha.

The contents of the particulars read over and explained to the accused in vernacular to which he pleaded guilty.

Date :- 01/01/2018

Judicial Magistrate First Class
Sironcha.

PLEA OF ACCUSED

1) Have you received copies of police papers ?

Ans: Yes.

2) Have you understood the contents of particulars of offence read over to you ?

Ans: Yes.

3) Do you plead guilty?

Ans: Yes, I plead guilty.

Signatures/Thumb
impression of accused

Judicial Magistrate(F.C.)
Sironcha.

JUDGEMENT

(Delivered on 01/01/2018)

1) In the instant case, accused is charge sheeted for the offence punishable under under section 3/181 and 185 of the Motor Vehicles Act . The accused is present. The contents of the particulars of the offence are read over and explained to the accused in vernacular to which he pleaded guilty voluntarily. He has filed the application in that regard at Exh.2. I have explained the accused the consequences of his plea. However he remained firm on his plea. Hence after considering all the above facts I am satisfied that the accused pleaded guilty voluntarily.

2) Section 241 of the Code of Criminal Procedure, empowers the court that, if the accused pleads guilty, after recording his plea, may convict him thereon.

3) I heard the accused on the point of sentence. The accused submitted that he is poor and only earning member of his family. Hence he prayed for the lenient view of the court and minimum fine.

4) After considering the plea of the accused and application at Exh.2 I held the accused guilty for the alleged offences. Hence, after the nature of the offence, all the above facts, and submission of the accused in my opinion following punishment would be proper, therefore I pass following order :-

ORDER

- 1) The accused is convicted for the offence punishable 3/181 and 185 of the Motor Vehicles Act.
- 2) The accused is sentenced to pay fine of Rs. 2600/-(Rupees Two thousand and six Hundred only) for the commission of offence punishable U/s. 3/181 and 185 of the Motor Vehicles Act in default to suffer simple imprisonment for five days.

Sironcha.

Date : 01/01/2018.

Sd/-
(M.B.Pathan)
Judicial Magistrate F.C.,
Sironcha