

IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS-II, PATHANAMTHITTA.

Present:

Sri. **Santhosh Das**, Judicial Magistrate of the First Class

Thursday the 06th day of October, 2022/ 14th day of Aswina 1944 S.E.

ST 1627/2022

Complainant	:	State represented by S.I. of Police, Koippuram Police Station in Cr.No. 392/2022 of Koippuram PS (By Smt. Lekhakumari V S, A.P.P. Gr. II, Pathanamthitta)
Accused	:	Jino G Gopi, Aged 31/22 S/o Gopi Pezhumkattil House, Vayyattupuzha P O, Chittar Village.
Offence	:	U/s. 279 of the I.P.C and offence under explanation (c) of sec. 184 M.V.Act.
Plea	:	Guilty.
Finding	:	Guilty.

This case having been come on this day, the Court delivered the following;

JUDGMENT

1. This case arose on a final report filed by the Sub Inspector, Koippuram Police Station.
2. Prosecution allegation is that the accused was found by the police on 23/04/2022 at about 11.00 A.M, riding a car bearing No.KL-83-6729 through public road in a rash and negligent manner, and he was also found to be using a mobile phone with his hand while such riding.

3. Upon issuance of process, accused entered appearance in person and informed that he is ready to hear the particulars of offences. Accordingly, particulars of offences was read over and explained to the accused and he pleaded guilty.
4. As the plea is voluntarily made after understanding the charge, the same is accepted and the accused is convicted for the offences. The offence committed is a potential danger to the public at large and therefore this is not a fit case to invoke the benevolent provisions of the Probation of Offenders Act. However, as the convict had pleaded guilty, I am satisfied that he had repented, and therefore I am inclined to take a lenient view in the matter of sentence, and sentence of fine with disqualification would suffice.
5. Accordingly, the convict above is sentenced to fine of Rs.1000/- for the offence u/s.279 IPC and fine of Rs.1000/- for the offence under explanation (c) of sec. 184 M.VAct, respectively. If the fine amounts are not paid, he will undergo simple imprisonment of 10 days, each as default sentence for the respective offences. **Invoking the powers of this Court u/s.20 of the M.VAct, the convict is also disqualified from driving any vehicle for a period of 2 months for the offence u/s.184 (explanation 'c') of M.VAct.**
6. Photocopy of the driving license bearing No.3/2918/2009 dated 05/03/2015 will be forwarded to the licensing authority for making endorsement in the matter of the disqualification ordered above.

Dictated to the Confdl. Asst., transcribed and typed by her, corrected by me and pronounced in open Court on this the 06th day of October, 2022.

Judicial Magistrate of the I Class-II,
Pathanamthitta.

Copy to :- Licensing authority (**Asst.L.A. Ranni**)

Photocopy of the driving license of the convict is attached for endorsement in the matter of the disqualification ordered and you shall bring up the original driving licence by issuing notice, and make the endorsement on the Original DL and the same can be returned to the license holder, after the endorsement.

Judicial Magistrate of the I Class-II,
Pathanamthitta.