

Case is taken on today's board in view of execution of arrest warrant by HC-26 of Jagalur PS.

Accused No.1 to 3 are present before the court. The counsel for the accused No.1 to 3 are present.

Charge framed for the offence punishable U/Sec. 379 of IPC, read over to accused No.1 to 3 in the language known to them, The Plea of accused No.1 to 3 is recorded, Accused No.1 to 3 plead guilty.

It is made known to the accused No.1 to 3 that they are not bound to plead their guilt and that any pleading of guilt by them could be used against them for their conviction.

Accused No.1 to 3 are still maintains the stand that they are guilty of the alleged offence against them.

In due presence of their learned counsel, the accused No.1 to 3 are pleading their guilt. The pleading of guilt by the accused No.1 to 3 thus appears to have been made voluntarily. Hence the same is accepted.

The accused No.1 to 3 pray for leniency in imposition of sentence and prays for imposition of fine only on the ground that the accused No.1 to 3 are poor persons who are under obligation to look after their family members. Perused records the I.O. has submitted the charge sheet against the accused No.1 to 3 for the offences punishable under section 379 of IPC only. Now the accused No.1 to 3 are pleading their guilt. The quantity of sand in the present case is worth Rs.1000/-, the same as already handed over to concerned department. Though the alleged offence U/Sec. 379 of IPC is punishable with imprisonment for the period of 3 years or with fine or with both. The accused No.1 to 3 are said be the sole earning members of their family and obligation to look after welfare of their family. The offence are compoundable in nature. Thus, taking into consideration all these aspects, if the accused No.1 to 3 are sentenced to pay fine amount only, the same will suffice the cause of justice. In the light

of foregoing discussion, this court proceeds to pass the following.

ORDER

Under the powers conferred to upon this court U/Sec. 241 of Cr.P.C. the accused No.1 to 3 are convicted for the offence U/Sec. 379 of IPC and sentence to pay fine amount of Rs. 5000/- each.,

In default the accused No.1 to 3 shall undergo SI for a period of 3 months.

Sd/-

Civil Judge and JMFC,
Jagaluru.