

CALENDAR AND JUDGMENT
EAST GODAVARI DISTRICT
Calendar Cases tried by the V Additional Judicial Magistrate Of First Class,
Kakinada.
CC. No.1601/2022

Date of offence	Date of Report or complaint	Date of Apprehension of accused	Date of Release on bail	Date of Commence ment of trial	Date of Closure of trial	Date of Sentence or order
15.01.2021	15.01.2021	15.01.2021 and issued sec 41-(A) Cr.P.C notice	15.01.2021 under section 41-A of Cr.P.C	09.12.2023	09.12.2023	09.12.2023

1. NAME OF THE COMPLAINANT :

State Represented by Sub-Inspector of police, Indrapalem P.S..

2. NAME OF THE ACCUSED :

1. Amalakanti Rambabu, S/o Venkateswara, Age 30 years, Caste-kapu, D.No.1-77, Palepevari veedhi, V.K.Rayapuram village, Samalkot Mandal.

2. Mukku Yesubabu, S/o Rajarao, Age 51 years, Caste-Settibalija, D.No.8-8-13/A, Patha Peddapuram, Peddapuram Town and Mandal.

3. OFFENCE : Penalty for setting any birds or animals to fight in any public street or public place under section 9(II) of A.P.Gaming Act 1974 and treating animals cruelly subjecting the animals to unnecessary pain and suffering under section 11 (1) (a) Cruelty to Animals Act.

4. FINDING : Accused no.1 and 2 are found guilty

5. SENTENCE : Accused no.1 and 2 are convicted U/s.252 Cr.P.C for the offence punishable U/s.11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974. The accused no.1 and 2 are sentenced to pay fine of **Rs. 50/- each** for the offence punishable Under section U/s.11(1)(M) prevention of cruelty to Animals Act, 1960 and in default suffer simple imprisonment for a period of **one week and** they are sentenced to pay fine of Rs.50/- each for the offence punishable under section 9(II) of APG Act 1974 and in default suffer simple imprisonment for a period of one week. The cash of Rs.650/- shall be confiscated to state cock knives shall be destroyed forthwith. SHO, Indrapalem P.S filed memo stating cocks died. Recorded.

6. EXPLANATION FOR DELAY : Cognizance of case was taken for the offence Under Section 11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974. On 09.12.2023 Accused called present, copies furnished. They are examined under section 251 of Cr.P.C. for the offence punishable Under Section 11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974 Accused pleaded guilty. Therefore, the accused is found guilty
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VAJFCM, KKD

Date:09.12.2023

for the offence Under section 11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974 and the accused is convicted Under section 252 Cr.P.C for the offence punishable Under section 11(1) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974. The accused no.1 and 2 are sentenced to pay fine of **Rs. 50/- each** for the offence punishable Under section U/s.11(1) prevention of cruelty to Animals Act, 1960 and in default suffer simple imprisonment for a period of **one week** and they are sentenced to pay fine of Rs.50/- each for the offence punishable under section 9(II) of APG Act 1974 and in default suffer simple imprisonment for a period of one week. The cash of Rs.650/- shall be confiscated to state cock knives shall be destroyed forthwith. SHO, Indrapalem P.S filed memo stating cocks died. Recorded. Hence no delay.

Sd/-Smt.SK.Shireen
**V Additional Judicial Magistrate Of
First Class, Kakinada**

**Copy
Submitted to** The Hon'ble Chief Judicial Magistrate cum
Prl.Senior Civil Judge, Rajamahendravaram, for
kind perusal.

The Superintendant of Police, Kakinada

IN THE COURT OF THE V ADDITIONAL JUDICIAL MAGISTRATE OF FIRST CLASS
AT KAKINADA

Present: Smt Sk.Shireen
V Additional Judicial Magistrate Of First Class, Kakinada.
Saturday, on this the 9th day of December, 2023.

C.C. No.1601/2022

Between:

State Represented by Sub-Inspector of police, Indrapalem P.S.

... Complainant

And:

1. Amalakanti Rambabu, S/o Venkateswara, Age 30 years, Caste-kapu, D.No.1-77, Palepevari veedhi, V.K.Rayapuram village, Samalkot Mandal.

2. Mukku Yesubabu, S/o Rajarao, Age 51 years, Caste-Settibalija, D.No.8-8-13/A, Patha Peddapuram, Peddapuram Town and Mandal.

... Accused

* * *

This case is coming on 09.12.2023 for final hearing before me in the presence of Sri P.Raghuv eer, Learned Assistant Public Prosecutor for the State and the Accused appearing in person upon hearing both sides and having stood over till this day for consideration, this court delivered the following.

J U D G M E N T

The Sub- Inspector of Police, Indrapalem Police Station laid a charge sheet against the accused in **Cr.No.31/2021** for the offences under Section 11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974.

2. **The Brief case of the prosecution as per the charge sheet is as follows:**

That The Sub Inspector of Police, **Indrapalem** P.S. filed a charge sheet against the accused alleging that on 15.01.2021 at 9.30 AM accused no.1 and 2 are playing cock fights with cocks by getting money, providing entertainment to the public and found Rs.650/- and LW.3 seized the two cocks, two knives and Rs.650/-. Basing on the report of LW.1 and 2, LW.3 Sub-Inspector of Police registered Cr.No.31/2021 under Section 11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974 and investigated into. During investigation, he examined the witnesses and recorded their statements and issued Section 41-A Cr.P.C notices to the accused. After completion of investigation, the Sub-Inspector of Police, Indrapalem Police Station filed the charge sheet. Hence, the Charge.

3. This case was taken on file for the offence under section 11(1)(M) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974 against the Accused.

4. After appearance of Accused no.1 and 2, case copies were furnished to them Under section 207 of Criminal Procedure Code and they were examined Under section 251 of Criminal Procedure Code for the accusation made under section 11(1) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974 and it was read over and explained to them in Telugu, Accused pleaded guilty. The court is satisfied that the accused pleaded guilty voluntarily.

5. Therefore, the accused no.1 and 2 are found guilty for the offence Under section 11(1) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974 and the accused is convicted U/s.252 Cr.P.C for the offence punishable Under section 11(1) prevention of cruelty to Animals Act, 1960 and Section 9(II) of A.P.Gaming Act 1974. On questioning about sentence the accused pleaded mercy and that they are having family to support and submitted that this is first offence they committed. Considering the facts and circumstances of this case, this court has taken a lenient view.

6. The accused no.1 and 2 are sentenced to pay fine of **Rs. 50/- each** for the offence punishable Under section U/s.11(1) prevention of cruelty to Animals Act, 1960 and in default suffer simple imprisonment for a period of **one week** and they are sentenced to pay fine of Rs.50/- each for the offence punishable under section 9(II) of APG Act 1974 and in default suffer simple imprisonment for a period of one week. The cash of Rs.650/- shall be confiscated to state cock knives shall be destroyed forthwith. SHO, Indrapalem P.S filed memo stating cocks died. Recorded.

Typed to my dictation by the Stenographer, corrected and pronounced by me in the open court on this the 9th day of December, 2023.

Sd/-Smt.SK.Shireen
**V Additional Judicial Magistrate Of
First Class, Kakinada**

Appendix of Evidence

- NIL -

Sd/-Smt.SK.Shireen
**V Additional Judicial Magistrate Of
First Class, Kakinada**