

**IN THE COURT OF THE I ADDITIONAL JUNIOR CIVIL JUDGE-CUM-I ADDITIONAL
JUDICIAL MAGISTRATE OF FIRST CLASS, PUNGNAUR**

Present:-**Smt Sindhu Gurram**, I Additional Junior Civil Judge-cum-

I Additional Judicial Magistrate of First Class, Punganur

Saturday, this the 12th day of November, 2022

S.T.C.No.337/2022

Between :-

State Represented by the Sub-Inspector of Police, Punganur P.S.

... Complainant

AND

T.Mani, aged 30 years, s/o T.Venkatappa, SC, Mason, Kothaindlu, Punganur.

... Accused

This case coming for hearing today before me in the presence of learned APP for complainant and Accused is present in person and having consideration, this Court delivered the following:-

J U D G M E N T

1. The S.I of Police, Punganur P.S. filed charge sheet in petty case No.240/2022 against Accused for the offence punishable U/s.185 of Motor Vehicle Act (herein after be referred as M.V. Act for sake of brevity and convenience).

2. The case of the prosecution is that on 10.10.2022 at 19:14 at Gokul Circle the above named accused drove the vehicle bearing Registration No. TN 24 U 9658 in drunken state on public road in drunken state on public road. The Alcohol Test with Breath Analyzer shows the BAC level as 71 mg/100ml. Hence, the Accused is liable for punishment U/s.185 of M.V. Act.

3. After filing petty charge sheet, this court has taken cognizance for the offence punishable U/s.185 of M.V. Act.

4. After receiving of summons accused appeared before Court. Copies of case documents were furnished to him. Accused is examined U/s.251 Cr.P.C for the offence punishable U/s.185 of M.V. Act by explaining substance of accusation leveled against him. The accused pleaded guilty and voluntarily admitted the offence punishable U/s.185 of M.V. Act. This Court is of the view that the accused admitted the offence voluntarily.

5. In the result, Accused is found guilty of the offence punishable U/s.185 of M.V. Act and accordingly, he is convicted U/s.252 Cr.P.C for the said offence. When questioned about quantum of sentence accused pleaded mercy and stated that he is the sole bread earner of his family. Considering the nature of offence, this Court is of the view that Accused is not entitled for benefit under Probation of Offenders Act. However, in view of the submissions of accused, this court is inclined to take balanced view in imposing the sentence. Therefore, the Accused is sentenced to pay a fine of Rs.10,000/- (Rupees Ten Thousand only) for the offence punishable U/s.185 of M.V. Act. In default of payment of fine amount the accused shall undergo simple imprisonment for a period of fifteen days. The Accused is appraised of his right of appeal and legal aid but he stated that he has sufficient means.

Typed to my dictation by Typist, corrected and pronounced by me in Open Court, on this 12th day of November, 2022.

I Additional Junior Civil Judge-cum-

I Additional Judicial Magistrate of First Class

Punganur

APPENDIX OF EVIDENCE

---Nil---

IAJCJ-cum-IAJMFC, Punganur

