



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3396]

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 342/2021

Between:

1.C ANJANEYA REDDY, S/O. VEERA VENKATA RAMANA REDDY,
HINDU, CAST BY REDDIKA, H.NO. 53-19/15, MADDILAPALAM,
VISA KHAPATNAM CITY

...PETITIONER

AND

1.THE STATE OF AP, REP. BY PUBLIC PROSECUTOR, HIGH COURT
OF ANDHRA PRADESH, AMARAVATI

...RESPONDENT

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to allow and set aside the Calendar and Judgment, dated 21-1-2021 in STC No. 2 of 2021 in Crime No. 14/2021 of Boghapuram Police Station, on the file of the Special Judicial Magistrate of the 2nd Class (Excise), Vizianagaram District, for the offence punishable under section 9(2) of A.P. Gaming Act against the Petitioner/Accused-1, and pass

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to dispense with the prostate copy of Calendar and Judgment, dated 21.1.2021 in STC No. 2 of 2021 in Crime NO. 14 of 2021 of Boghapuram Police Station, on the file of the Special Judicial Magistrate of the 2nd Class (Excise), Vizianagaram District

IA NO: 2 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the sentence passed in Calendar and Judgment, dated 21.1.2021 in STC No. 2 of 2021 in Crime No. 14 of 2021 of Boghapuram Police Station, on the file of the Special Judicial Magistrate of the 2nd Class (Excise), Vizianagaram District, for the offence punishable under section 9 (2) of AP Gaming Act against the Petitioner/Accused-1, till the passing of main order, and pass

Counsel for the Petitioner:

1. SIMHACHALAM KARUKOLA

Counsel for the Respondent:

1. PUBLIC PROSECUTOR (AP)

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 342/2021****JUDGMENT:**

This Criminal Revision Case has been filed by the petitioner seeking to set aside the Calendar and Judgment, dated 21.01.2021 in STC No. 2 of 2021 in Crime No.14 of 2021 of Boghapuram Police Station, on the file of the Special Judicial Magistrate of the 2nd Class (Excise), Vizianagaram District, for the offence punishable under Section 9(2) of A.P. Gaming Act against the Petitioner/Accused No.1.

2. Heard Sri Simhachalam Karukola, learned counsel for the petitioner and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

3. The brief facts of the case are that, the Sub-Inspector of Police, Bhogapuram Police Station, registered FIR No. 14 of 2021 based on credible information received on 14.01.2021 that cockfights involving betting were being conducted at the outskirts of Gudepuvalasa Village; acting on this, he along with his staff reached the spot and found the accused engaged in cockfights by wagering money, informed them that such activity constitutes an offence under Section 9(2) of the A.P. Gaming Act, and took Accused Nos. 1 to 8 into custody under a cover of occurrence report, after which, upon completion of investigation, a charge sheet was filed, cognizance was taken by the Trial Court, and after due trial, the Special Judicial Magistrate of

Second Class (Excise), Vizianagaram District, by judgment dated 21.01.2021 in STC No. 2 of 2021 arising out of Crime No. 14 of 2021, convicted the petitioner herein, who is Accused No. 1.

4. Considering the submissions made and upon perusal of the material on record, the impugned judgment reveals that the learned Trial Judge examined the accused under Section 251 Cr.P.C., during which they admitted the charge sheet allegations. It is further observed that the accusation under Section 9(2) of the A.P. Gaming Act was explained and read over to them in Telugu, to which they pleaded guilty. Accordingly, the Trial Court followed the procedure contemplated under Section 252 Cr.P.C. and convicted Accused Nos. 1 to 8, sentencing each of them to pay a fine of Rs.50/- (Rupees fifty only) and to undergo simple imprisonment for five days for the said offence. In default of payment of fine, they shall undergo simple imprisonment for fifteen days each.

5. The argument advanced by the learned counsel for the petitioner before this Court that the learned Magistrate, before convicting the accused on the basis of 'plea of guilty', should ascertain whether all copies of the documents on which the prosecution relies have been supplied to the accused, that thereafter sufficient time has to be allowed for perusing them, that he should satisfy himself that the allegations in the accusation do constitute an offence, and that he should question the accused on all the ingredients of the offence to find out whether the accused understood the nature of the offence and that the plea of guilty should be recorded in the

words of the accused and that such plea was free and voluntary, falls to the ground, since the impugned judgment would show that the learned Magistrate has taken every care in this regard and that copies of the documents were furnished at the time of examination of the accused, who admitted his guilt, and accordingly, the learned Magistrate convicted the accused, imposing a fine of Rs.50/- (Rupees fifty only) and sentencing him to undergo simple imprisonment for five days for the said offence.

6. In view of the aforementioned premises and upon perusal of the material on record, this Court does not find any irregularity, illegality, or impropriety in the exercise of jurisdiction by the learned Magistrate while passing the impugned judgment. The record reflects due compliance with the prescribed procedure and that the plea of guilty was recorded voluntarily and in accordance with law. Hence, the conviction and sentence do not warrant interference by this Court in revision.

7. Accordingly, the Criminal Revision Case is dismissed confirming the impugned Calendar and Judgment, dated 21.01.2021 in STC No. 2 of 2021 in Crime No.14 of 2021 of Boghapuram Police Station, on the file of the Special Judicial Magistrate of the 2nd Class (Excise), Vizianagaram District.

Consequently, miscellaneous applications pending, if any, shall stand closed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 23.04.2026.

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 342/2021

Dt.23.04.2026

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