

Code of Criminal Procedure, 1898

Section 243 - Conviction on admission of truth of accusation: If the accused admits that he has committed the offence of which he is

1958) 10 Ass 127 :1961(1) Cr-LJ227: AIR 1961 Ass 19: AIR 1966 SC 22 : (1965) 2 SCJ 476. In a summary trial plea of guilty should be recorded in words of accused. 1959 Nag LJ (Notes) 116. The plea of guilty should as nearly as possible, be recorded in the accused's own language in order to prevent any mistake or misapprehension. Interpretation of the accused's plea of guilty by the Bench clerk to the court is not sufficient compliance with the requirement of Section 243-Section 362 (2-A) is not applicable. AIR 1966 SC 22 : 1966 Cal LJ 66 : (1965)2 SCJ 476. Reliance on Sections 225 and 537 cannot negative the objection that in reality there was no admission of guilt and that therefore no conviction could proceed under Section 243, Cr. P. Code 1958 Ker LT 1136 : 1959 Cr LJ 1074 : AIR 1959 Ker 248. Section 243 being a provision of a special character takes precedence and overrides the general provisions of Section 262 (2-A). AIR 1966 SC 22 : (1965) 2 SCJ 476. The section empowers the Magistrate to convict the accused where he admits the commission of offence and he does not show cause against his conviction, but where the Magistrate convicts without affording opportunity to show cause, the conviction is liable to be set aside. 1961 AWR (HC) 141.