

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8760 of 2015

ORDER

This petition is filed challenging the order dated 08.07.2015 passed in CrI.M.P.No.122 of 2015 in C.A.No.299 of 2015 by the learned XIII Additional Sessions Judge, Narasaraopet, wherein and whereby the application filed by the petitioner seeking to suspend the operation of sentence passed in S.C.No.525 of 2015 by the learned Additional Assistant Sessions Judge, Narasaraopet vide judgment dated 13.03.2015, was dismissed.

2. By judgment dated 13.03.2015 in S.C.No.525 of 2014, the petitioner herein was convicted for the offence under Section 307 IPC and sentenced to undergo simple imprisonment for three years and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for one month. Aggrieved by the same, the petitioner preferred an appeal along with an application for suspension of sentence. By the order impugned, the appellate Court having observed that the petitioner was not granted bail during the committal proceedings as well as trial before the Court below and he was tried as under-trial prisoner and if he is released on bail by suspending the sentence, it will be difficult to secure his presence dismissed the said petition. Aggrieved by the same, the present criminal petition is filed.

3. Heard both sides and perused the material on record.

4. Learned counsel for the petitioner submits that the petitioner was not released on an earlier occasion and he confined his argument for early disposal of the appeal.

5. Considering the facts and circumstances of the case and also the period of detention of the petitioner during the course of trial, the appellate Court is hereby directed to dispose of the appeal as expeditiously as possible, within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, the Criminal petition is disposed of.

RAJA ELANGO, J

3rd September, 2015
sj