

THE HONOURABLE SRI JUSTICE B. SESHASAYANA REDDY

CRIMINAL REVISION CASE NO.1298 OF 2009

JUDGMENT:-

This revision is directed against the order, dated 03.10.2007 passed in Criminal Appeal No. 242 of 2007 on the file of the Special Judge for trial of offences under SC, STs (Prevention of Atrocities) Act-cum VI Additional Metropolitan Sessions Judge, Secunderabad whereby and whereunder the learned Sessions Judge while confirming the conviction of the accused for the offence under section 411 IPC reduced the sentence of imprisonment from three years to two years.

The facts of the case are not required to be dealt in detail in view of the submission made by the learned counsel appearing for the petitioner. It is suffice to say that the petitioner faced the trial for the offence under Section 411 IPC in C.C.No.677 OF 2006 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad and he suffered conviction for the offence under Section 411 IPC. Sentence of imprisonment of 3 years has been imposed on him for the offence under Section 411 IPC. The remand period has been ordered to be set off as provided under Section 428 of the Code of Criminal procedure, 1973 (Cr.P.C.). He filed Criminal Appeal No.242 of 2007 assailing the judgment of conviction and sentence passed in C.C.No.677 of 2006. The appellate Court while dismissing the appeal, reduced the sentence of imprisonment from three years to two years. Hence, this criminal revision case.

The learned counsel appearing for the petitioner submits that the petitioner is convicted for similar offences in C.C.Nos.447/06, 558/06, 557/06, 1470/04, 81/07, 142/07 556/06 and 1471/2004 and therefore, the sentence imposed on the petitioner in the Criminal

Appeal No.242 of 2007 for the offence under Section 411 is required to be ordered to run concurrently along with the sentences imposed in the above referred C.Cs.

The factual aspect that judgments being pronounced by the trial Court as well as the appellate Court on one and the same date is not disputed by the learned Additional Public Prosecutor. In deed the petitioner has been remanded to judicial custody in all the cases on execution of production warrants. The nature of the offence in all the cases is also similar.

In that view of the matter, this Criminal Revision Case is disposed of at the admission stage directing the sentence imposed against the petitioner in C.C.No.677 of 2006 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad, for the offence under Section 411 IPC as modified in Criminal Appeal No.242 of 2007 on the file of VI Additional Metropolitan Sessions Judge, Secunderabad, shall run concurrently, with the sentence of imprisonment imposed in C.C.Nos.447/06, 142/2007, 556/06, 1470/04, 81/2007, 557/2006, 558/06 and 1471 of 2004.

B. SESHASAYANA REDDY,J

5th August, 2009

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