THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1259 OF 2015

ORDER:

This Criminal Revision Case is filed by A.1 challenging the judgment of VI Additional Sessions Judge, Kakinada dated 29.06.2015 whereby the learned Sessions Judge dismissed Crl.A.No.23 of 2014 confirming the judgment of V Additional Judicial First Class Magistrate, Kakinada dated 28.1.2014 in C.C.No.190 of 2013 convicting the petitioner under Section 411 IPC and sentencing him to undergo simple imprisonment for six months and to pay a fine of Rs.500/-, in default, to suffer simple imprisonment for 15 days.

After arguing for some time, learned counsel for the petitioner confined his arguments only to the extent of quantum of sentence and prayed this Court to reduce the sentence in the circumstances of the case.

No grounds are made out to interfere with the conviction imposed by the trial Court as confirmed by the lower appellate Court and the concurrent findings are based on appreciation of evidence in proper perspective. Hence, this Court is not inclined to interfere with the conviction imposed by the trial Court, but considering the nature of offence and since the petitioner has already suffered substantial period in prison, this Court is inclined to reduce the sentence of imprisonment.

In the result, the conviction recorded against the petitioner-A.1 by the V Additional Judicial First Class Magistrate, Kakinada in C.C.No.190 of 2013 for the offence under Section 411 IPC as confirmed by VI Additional Sessions Judge, Kakinada in Crl.A.No.23 of 2014 is hereby confirmed, but the sentence of S.I. for six months imposed on the petitioner is hereby modified to the period already undergone by the petitioner. The sentence of fine is not interfered with. The petitioner shall be released forthwith if not required in any other crime.

With the above modification, the Criminal Revision Case is disposed of.

Miscellaneous petitions, if any, filed in this revision shall stand closed.

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JUSTICE RAJA ELANGO

13.07.2015

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