

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3105 OF 2015

ORDER:

1. This revision is filed by the petitioners-accused aggrieved by the order dated 2.12.2015 passed in Crl.M.P.No.418 of 2015 in Crl.A.No.1071 of 2015 by the III Additional District Judge, Ranga Reddy District, L.B. Nagar.
2. The trial Court convicted and sentenced the 1st petitioner-A1 represented by A2, to pay a fine of Rs.10,000/-, in default to undergo simple imprisonment for six months; and convicted and sentenced the 2nd petitioner-A2 to undergo simple imprisonment for six months and to pay compensation of Rs.5 lakhs to P.W.1 within one month, in default to undergo simple imprisonment for four months. Aggrieved by the same, the petitioners filed Crl.A.No.1071 of 2015 before the III Additional District Judge, Ranga Reddy District, L.B. Nagar. Along with the above appeal, the petitioners filed Crl.M.P. 418 of 2015 seeking suspension of the sentence. The lower appellate Court while suspending the operation of the sentence passed by the trial Court imposed a condition directing the 2nd petitioner-A2 to deposit 1/4th of the compensation amount, within 15 days. Aggrieved by the said condition, the petitioners filed this revision.
3. Heard and perused the material available on record.

4. The main grievance of the petitioners is that since the appeal was filed against the conviction, sentence and the order of compensation, the condition of payment of part of the compensation amount is not reasonable and therefore, the said condition may be relaxed.

5. Considering the facts and circumstances of the case and since the appeal is pending, the condition imposed by the learned III Additional District Judge while suspending the sentence viz., deposit of 1/4th of the compensation amount, is hereby set aside. Rest of the order under revision shall remain.

6. Accordingly, the Criminal Revision Case is disposed of. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 17.12.2015

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