

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2207 of 2015

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ORDER:

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This Criminal Revision Case is preferred by the petitioner – accused by invoking the provisions under Sections 397 & 401 of the Code of Criminal Procedure being aggrieved by the judgment, dated 26.05.2015, rendered in CrI.A. No.59 of 2014, by the Additional District & Sessions Judge, Vikarabad, Ranga Reddy District.

The case of the prosecution is that on 11.07.2006, at 9.00 p.m., the C.I. of Prohibition & Excise, Tandur apprehended the petitioner in the vegetable market area while he was selling the I.D. Liquor illegally. He registered a case in COR No.154 of 2006-07 against the petitioner and seized the contraband. Thereafter, he handed over the case papers and the accused to P.C.827 by name Abraham with a direction to produce him before the Court. On the way to the Court, the petitioner pushed away the constable and escaped from the custody of the police. Hence, the C.I. of Prohibition & Excise lodged a complaint before Sub-Inspector of Police, Tandur and on the said complaint, the learned Appellate Judge confirmed the conviction and sentence imposed by the trial Court. Aggrieved over the same, the present revision has been preferred.

After arguing for sometime, the learned counsel for the petitioner while not pressing for the main prayer confined his arguments only to the extent of imposition of sentence and requested the Court to show some indulgence on the petitioner.

In view of the submissions of the learned counsel for the petitioner, this Court is of the view that the merits of the prosecution case and impugned judgment need not be adjudicated in this revision.

Considering the facts and circumstances of the case, this Court is of the view that some lenient view can be taken towards the revision petitioner and the sentence of imprisonment imposed by the trial Court, as modified by the appellate Court on

him can be reduced.

In the result, the conviction imposed on the petitioner by the trial Court in C.C. No.247 of 2007, as confirmed by the lower appellate Court in CrI.A. No.59 of 2014, is hereby confirmed. However, the sentence of imprisonment is modified and reduced to rigorous imprisonment for one month. The sentence of fine amount and the default order imposed on the petitioner is not interfered with.

Accordingly, the revision petition is allowed in part. Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

September 16, 2015.

KTL