

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2045 of 2014

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CRIMINAL REVISION CASE No.2049 of 2014

COMMON ORDER:

Crl.R.C.No.2045 of 2014 is filed by A.1 and Crl.R.C.No.2049 of 2014 is filed by A.2 challenging the common judgment of the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge at Hyderabad dated 09.10.2014 in Crl.A.Nos.895 of 2013 & 873 of 2013 respectively, whereby the learned Sessions Judge dismissed the appeals confirming the conviction passed by XIV Special Magistrate, Hyderabad in C.C.No.180 of 2013, dated 30.9.2013 under Section 138 of Negotiable Instruments Act, but reduced the sentence of imprisonment of R.I. for one year each to R.I. for six months each. However, enhanced the fine amount of Rs.3,000/- to Rs.5.00 lakhs each.

Today, when the matter is taken up for hearing, after arguing for sometime, Sri L.Venkateshwar Rao, learned counsel appearing for A.1 and Sri T.Pradyumna Kumar Reddy, learned counsel appearing for A.2 confined their arguments only to the extent of quantum of sentence of imprisonment and informed that both the accused are ready to deposit the fine amount as ordered by the lower appellate Court but prayed this Court to set aside the imprisonment imposed by the trial Court as modified by the lower appellate Court.

Taking into consideration the fact that the lower appellate Court has not only enhanced the fine amount from Rs.3,000/- each to Rs.5.00 lakhs each, but also directed that Rs.9.75 lakhs therefrom to be paid to the complainants towards compensation, the revisions are disposed of with the following directions:

The sentence of imprisonment imposed by the trial Court as modified

by the lower appellate Court is hereby modified to the period already undergone by the petitioners. The fine amount and also the compensation as ordered by the lower appellate court is hereby confirmed. The petitioners herein are directed to deposit the said amount before the trial court on or before 15th October, 2015, in default, the petitioners shall undergo S.I. for three months each.

Both the revisions are disposed of accordingly.

Consequently, Miscellaneous Petitions, pending if any, shall stand closed.

01.09.2015
skmr

RAJA ELANGO,J