

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL APPEAL No.1439 OF 2008

- **JUDGMENT:**

- This Criminal Appeal is filed by the sole accused challenging the judgment of the Additional Metropolitan Sessions Judge, Cyberabad, NTR Nagar, Hyderabad dated 31.10.2008 in S.C.No.205 of 2005 whereby the learned Sessions Judge convicted the appellant-accused for the offence under Section 304 Part-II IPC and sentenced him to undergo R.I. for five years while finding him not guilty for the offences under Sections 498-A & 302 IPC.

After arguing for some time, learned counsel for the appellant confined his arguments only to the extent of quantum of sentence of imprisonment and prayed this Court to reduce the sentence of imprisonment in view of the fact that the appellant was in prison for a substantial period.

No grounds are made out to interfere with the conviction imposed by the trial Court. Hence, this Court is not inclined to interfere with the conviction imposed by the trial Court, but considering the facts and circumstances of the case and since the appellant 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 appellant-accused by the Additional Metropolitan Sessions Judge, Cyberabad, NTR Nagar, Hyderabad dated 31.10.2008 in S.C.No.205 of 2005 for the offence under Section 304 Part- II IPC is hereby confirmed, but the sentence of R.I. for five years imposed on the appellant is hereby modified to the period already undergone by him.

With the above modification, the Criminal Appeal is disposed of.

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

JUSTICE RAJA ELANGO

04.08.2016

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