

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.708 OF 2008

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ORDER:

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This Criminal Revision Case is filed by the accused challenging the judgment of the Special Judge for trial of offences under SCs & STs (Prevention of Atrocities) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad dated 04.04.2008 in CrI.A.No.124 of 2007 whereby and whereunder the learned Judge confirmed the conviction imposed on the petitioner-accused by XI Additional Chief Metropolitan Magistrate, Secunderabad in C.C.No.906 of 2004 dated 12.03.2007 for the offence under Section 384 IPC. However, the sentence of R.I. for three years imposed by the trial Court is reduced to R.I. for one year while maintaining the fine amount of Rs.20,000/-.

After arguing for some time, since this Court is not inclined to interfere with the concurrent findings of the Courts below, learned counsel for the petitioner confined his arguments only to the extent of quantum of sentence and prayed this Court to reduce the sentence of imprisonment 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, this Court is inclined to reduce the sentence of imprisonment.

In the result, the conviction recorded against the petitioner by the XI Additional Chief Metropolitan Magistrate,

Secunderabad dated 12.03.2007 in C.C.No.906 of 2004 under Section 384 of IPC as confirmed by the Special Judge for trial of offences under SCs & STs (Prevention of Atrocities) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad dated 04.04.2008 in CrI.A.No.124 of 2007 is hereby confirmed, but the sentence of R.I. for one year imposed on the petitioner is hereby modified to the period already undergone by him and further, in addition to the fine amount already imposed, he is sentenced to pay a fine of Rs.30,000/- under the said count, on or before 27th September, 2016, in default, to undergo S.I. for six months. On payment of said additional fine amount, it should be given as compensation to P.W.1.

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

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

JUSTICE RAJA ELANGO

03.08.2016

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