

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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CRIMINAL REVISION CASE No.109 OF 2016

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ORDER:

The present revision is filed against the judgment dated 07.10.2015 passed in CrI.A.No.473 of 2011 on the file of VII Additional Sessions Judge, Kakinada, wherein the learned Sessions Judge, confirmed the conviction and sentence of four years imposed on the petitioner in S.C.No.384 of 2011 on the file of Principal Assistant Sessions Judge, for the offence punishable under Section 307 of Indian Penal Code.

The facts in issue are as under :

The Victim B.Siva Malleswari is resident of Mahanthipuram, Vijayawada and her marriage with the petitioner who is her maternal uncle was performed about 15 years ago and they were blessed with two children. Since the date of marriage, the petitioner who was addicted to all vices used to beat the victim by consuming alcohol, demand money and used to send the victim to her parents house along with her children. Unable to bear the said harassment, the victim left his company and went to her parents house. While so, on 13.09.2010 the petitioner went to the parents house of victim and requested her to come with him. But the victim refused to go with the petitioner. Bearing grudge against her, the petitioner decided to kill her. On 14.09.2010 at 12.00 noon, the petitioner went to the parents house of victim, attacked her with a blade and cut the throat of the victim with a view to kill her and also caused cut injuries on her right hand, thumb and index finger. On hearing the cries of the victim, the mother of the victim and others rushed there and on seeing them the petitioner fled away from the scene. The victim was shifted to Government General hospital and thereafter the present case is registered against the accused.

The learned counsel for the petitioner states that since the date of

conviction imposed by the trial Court, the petitioner is in jail. The record reveals that judgment of the trial Court was on 24.10.2011. If that is so, the petitioner has served out the sentence of four years imposed by the trial Court in S.C.No.384 of 2011 which was confirmed in CrI.A.No.473 of 2011. Since the plea of the counsel for the petitioner was on quantum of sentence, nothing survives for adjudication in this revision.

Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending in this criminal revision case shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Date:28.04.2016.
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Dated : 28.04.2016

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