

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL APPEAL No.1203 OF 2012

JUDGMENT:

This Criminal Appeal is filed by the sole accused challenging the judgment of IV Additional District & Sessions Judge (Fast Track Court) at Mahabubnagar dated 31.07.2012 in S.C.No.220 of 2012 whereby the learned Sessions Judge convicted the appellant-accused for the offence under Section 304-I IPC and sentenced him to undergo R.I. for ten years and to pay a fine of Rs.500/-, in default, to undergo S.I. for three months.

After arguing for some time, since this Court is not inclined to interfere with the judgment of the trial Court, 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 the circumstances of the case.

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 nature of offence 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 IV Additional District & Sessions

Judge (Fast Track Court) at Mahabubnagar dated 31.07.2012 in S.C.No.220 of 2012 for the offence under Section 304-I IPC is hereby confirmed, but the sentence of R.I. for ten years imposed on the appellant is hereby modified and reduced to R.I. for five years. The period of imprisonment already served by the appellant is directed to be given set off. The sentence of fine is not interfered with.

Accordingly, the Criminal Appeal is allowed in part.

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

11.08.2016
Tsr



JUSTICE RAJA ELANGO