

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.3196 OF 2015

-
ORDER:

-
This Criminal Revision Case is filed by A.1 to A.10 challenging the judgment of the Special Sessions Judge-cum-VII Additional District and Sessions Judge, Mahabubnagar FAC IX Additional District Judge at Wanaparthi dated 15.10.2015 whereby the learned Sessions Judge dismissed Crl.A.No.8 of 2015 confirming the judgment of the Judicial First Class Magistrate, Wanaparthi dated 05.12.2014 in STC No.16 of 2011 convicting the petitioners under Sections 323 and 504 r/w 34 IPC and sentencing them to pay a fine of Rs.500/- each for the offence under Section 323 IPC and to pay a fine of Rs.500/- each for the offence under Section 504 IPC, in default, to suffer imprisonment for three months each.

After arguing for some time, when this expressed the view that there is no ground to interfere with the concurrent findings of the Courts below, learned counsel for the petitioners confined his arguments only to the extent of quantum of sentence of fine amount and prayed this Court to reduce the sentence of fine amount.

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 fine amount.

In the result, the convictions recorded against the

petitioners-A.1 to A.10 by the Judicial First Class Magistrate, Wanaparthi dated 05.12.2014 in STC No.16 of 2011 for the offences under Sections 323 and 504 IPC as confirmed by Special Sessions Judge-cum-VII Additional District and Sessions Judge, Mahabubnagar FAC IX Additional District Judge at Wanaparthi dated 15.10.2015 in CrI.A.No.8 of 2015 are hereby confirmed, but the sentence of fine amounts imposed by the trial Court on the petitioners under two counts i.e. under Sections 323 and 504 IPC is hereby reduced to Rs.100/- each for the offence under Section 323 IPC and Rs.200/- each for the offence under Section 504 IPC. The trial Court is directed to return the fine amounts to the petitioners, if already paid, which is more than the fine amount imposed by this Court.

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

01.02.2016

Tsr