

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.1898 of 2016

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ORDER:

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The present revision is filed under Sections 397 and 401 Cr.P.C. questioning the judgment dated 01.06.2016 passed in CrI.A.No.123 of 2014 on the file of the Sessions Judge, Anantapuramu, modifying the judgment dated 01.12.2014 passed in C.C.No.448 of 2008 on the file of the Judicial Magistrate of First Class, Dharmavaram, Anantapuramu.

The facts in issue are as under:

The petitioner, who is the sole accused, was tried for the offences punishable under Sections 337 and 304-A IPC and he was convicted and sentenced to under go simple imprisonment for a period of one year for the offence punishable under Section 304-A IPC and to undergo 15 days simple imprisonment for an offence punishable under Section 337 of IPC. Challenging the same, the petitioner preferred CrI.A.No.123 of 2014 before the Sessions Judge, Anantapuramu, wherein the appellate Court dismissed the appeal, while modifying the sentence of imprisonment for an offence punishable under Section 304-A IPC to six months simple imprisonment and the sentence of imprisonment under Section 337 of IPC to seven days. Challenging the same the present Revision is filed.

Though the appeal is filed challenging the conviction and sentence, the learned counsel for the petitioner while submitting that there are no merits in the revision however confined his argument to the quantum of sentence and seeks reduction of sentence. The learned Public Prosecutor did not seriously oppose the same.

The material on record discloses that the health condition of the petitioner is not good and his wife and two children are dependent on him. He submits that he is the sole bread-winner of the family and his

detention in jail has thrown his family on to the streets.

Having regard to the facts and circumstances of the case, I deem it proper to take a lenient view by reducing the sentence of imprisonment of six months imposed against the petitioner for an offence under Section 304-A IPC to that of three months.

Insofar as sentence of imprisonment for an offence punishable under Section 337 of IPC is concerned, the lower appellate Court has taken a lenient view by reducing the sentence of imprisonment from 15 days to seven days. Hence, the same needs no interference by this Court.

The sentences imposed for both the offences i.e., under Section 304-A and 337 of IPC shall run concurrently.

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

Miscellaneous petitions, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

27.07.2016

vhb