

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL APPEAL No.563 OF 2006

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JUDGMENT:

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This Criminal Appeal is preferred by A.1 & A.2 challenging the judgment of II Additional Metropolitan Sessions Judge, Hyderabad dated 31.03.2006 in S.C.No.131 of 2005 whereby the learned Additional Sessions Judge convicted the appellants for the offence under Section 324 r/w 34 IPC and sentenced them to undergo R.I. for three months each and to pay a fine of Rs.1,000/- each, in default, to suffer S.I. for one month.

Today, though the matter is listed under the caption 'for dismissal', none appears on behalf of the appellants. This Court perused the material available on record and heard the arguments of learned Additional Public Prosecutor.

No grounds are made out to interfere with the conviction imposed by the trial Court since the 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. However, in the circumstances of the case and taking into consideration the age of the appellants, this Court is inclined to reduce the sentence of imprisonment.

In the result, the conviction recorded against the appellants-A.1 & A.2 by the II Additional Metropolitan Sessions Judge, Hyderabad dated 31.03.2006 in S.C.No.131 of 2005 for the offence under Section 324 r/w 34 IPC is hereby confirmed, but the sentence of R.I. for three months imposed on the appellants is hereby modified to the period already undergone by them. The sentence of fine is not interfered with.

The Criminal Appeal is accordingly disposed of.

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

JUSTICE RAJA ELANGO

28.07.2016

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