

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C. No.436 of 2015

ORDER

Petitioner preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the Judgment dated 13-03-2015 passed in Crl.Appeal No.122 of 2014 on the file of the VIII Additional District & Sessions Judge at Chittoor, confirming the Judgment dated 30-06-2014 passed in C.C.No.431 of 2008 on the file of the Judicial First Class Magistrate, Palamaneru, whereby the petitioner is convicted under Section 255(2) Cr.P.C. for the offence under Section 304-A I.P.C. and Section 134(a) and (b) read with Section 187 of Motor Vehicles Act and sentenced to undergo Simple Imprisonment for one year with fine of Rs.5,000/-, in default Simple Imprisonment for one month for the offence under Section 304-A I.P.C. and to pay a fine of Rs.500/-, in default simple imprisonment for 15 days for the offence under Section 134(a) read with Section 187 of Motor Vehicles Act and further sentenced to pay a fine of Rs.500/- for the offence under Section 134 (b) read with Section 187 of Motor Vehicles Act in default simple imprisonment for 15 days.

Heard and perused.

After arguing for some time, learned counsel for the petitioner confined his argument only to the extent of quantum of sentence. Considering the facts and circumstances of the case and in view of the mitigating circumstances, the conviction imposed by the trial Court as confirmed by the lower appellate Court is confirmed. But the sentence of imprisonment imposed by trial court as confirmed by the lower appellate Court is hereby modified to the period already undergone by the petitioner. The petitioner is directed to pay another Rs.5,000/- (Rupees Five Thousand Only) as fine as far as other offences are concerned.

The revision is allowed to the extent as indicated above.

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

JUSTICE RAJA ELANGO

09th February, 2016

skmr