

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7956 of 2017

ORDER:

This criminal petition is filed under Section 440(2) of Cr.P.C., seeking modification of the order dated 11.7.2017 in CrI.M.P.No.221 of 2017 in Criminal Appeal No.756 of 2017 on the file of the Court of XIII Additional Metropolitan Sessions Judge, Cyberabad at L.B. Nagar.

2. Heard the learned counsel for the petitioner and perused the material available on record.

3. The petitioner filed Criminal Appeal No.756 of 2017 challenging the conviction and sentence imposed against him in C.C. No.65 of 2015 (old C.C. No.929 of 2015) on the file of the Court of VII Special Magistrate, Hasthinapuram. Along with the appeal, the petitioner filed CrI.M.P.No.221 of 2017 for suspension of the sentence and payment of compensation of Rs.3,70,000/-. The appellate court allowed the petition suspending the operation of the sentence till disposal of the appeal on condition of the petitioner depositing 25% of compensation amount, within a period of two months. Seeking reduction of the deposit amount, the present petition is filed.

4. At the time of hearing, the only point urged by the learned counsel for the petitioner is that the condition imposed by the appellate court directing to deposit 25% of compensation amount is onerous one. It is needless to say that this Court shall not lightly interfere with the discretionary orders passed by the Courts below. In the instant case, the

appellate court directed the petitioner to deposit 25% of the compensation amount.

5. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that directing the petitioner to deposit 25% of the compensation amount by granting two months' time is not an onerous one. There is no illegality or irregularity in the orders passed by the appellate Court; hence, the petition is liable to be dismissed.

6. Accordingly, the criminal petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 05.09.2017
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