

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL REVISION CASE No.2207 of 2005

JUDGMENT:

This Criminal Revision Case, under Sections 397 and 401 Cr.P.C, is filed challenging the conviction and sentence passed by the II Additional Judicial Magistrate of First Class, Madanapalle, in C.C.No.117 of 2001, whereby the Court found the appellant/accused guilty for the offence under Section 409 IPC and convicted and sentenced him to undergo RI for a period of two months and to pay a fine of Rs.500/- with default sentence.

Aggrieved by the Conviction and sentence imposed by the trial Court in C.C.No.117 of 2001, the appellant preferred an appeal before II Additional District and Sessions Judge, Chittoor at Madanapalle, whereby the Court confirmed the conviction and sentence imposed by the trial Court, while dismissing the appeal.

Aggrieved by the judgment of Appellate Court, the Appellant/accused preferred the present Revision Case on various grounds.

During hearing, Sri D. Kodanda Rami Reddy, learned counsel for appellant, contended that the amount allegedly misappropriated was already remitted to the Department before launching prosecution and subsequently, he was removed from service and now he is aged 55 years.

Taking into consideration the facts and circumstances of the case, the punishment imposed against the appellant is reduced to the sentence already undergone by him i.e., One month, from two months, while confirming the fine imposed by the trial Court.

With the above modification, this Criminal Revision Case is partly allowed.

As a sequel, miscellaneous petitions, if any, pending in this case, shall stand dismissed.

Date: 10-08-2017.
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M. SATYANARAYANA MURTHY, J



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CrI.R.C. No.2207 of 2005
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