

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.892 of 2017

ORDER :

Aggrieved by the order dated 13.03.2017 in CrI.MP.No.895 of 2017 in Criminal Appeal No.150 of 2017 passed by the Special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad, this revision is filed by the petitioner/ accused.

2. Heard before admission and perused the material on record.

3. The said M.P. is filed by the accused under Section 389(1) Cr.P.C. to suspend the operation of sentence passed against him by the learned XX Additional Chief Metropolitan Magistrate, Hyderabad and by the impugned order, the lower appellate Court allowed the same, the operative portion of which reads as under:

“In the result, the petition is allowed and the operative portion of the sentence passed in C.C.No.1002/ 2013 shall be suspended subject to petitioner shall deposit 1/4th of compensation amount imposed under Section 357(3) Cr.P.C. by the learned trial Court within four weeks from the date of this order and on such deposit, the trial court shall invest the same in any Nationalized Bank till disposal of appeal. With these observations, the petition is disposed of on the same day i.e. on 13-03-2013 as directed by the Hon’ble High Court.”

4. Following the principles laid down by the Apex Court in Dilip S.Dahanukar v. Kotak Mahindra Co., Ltd.,¹ the Criminal Revision Case is disposed of by modifying the condition imposed in the impugned order from deposit of 1/4th of the compensation to 1/6th of the compensation. In other respects, the impugned order holds good.

5. Miscellaneous petitions, pending if any, shall stand closed.

Date:30-03-2017
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Dr. B. SIVA SANKARA RAO, J



¹ (2007) 6 SCC 528