

THE HON'BLE Dr JUSTICE SHAMEEM AKTHER

Criminal Revision Case No.1162 of 2006

ORDER:

As there was no representation for the petitioner/A.2 on 12.04.2018, the matter was directed to be listed on 19.04.2018 under the caption "For Dismissal". On 19.04.2018, the matter was directed to be listed today under the same caption, i.e., 'For Dismissal'. Even today, there is no representation for the petitioner/A.2. However, without waiting for the counsel for the petitioner/A.2 to advance arguments, this Court can examine the evidence on record and pass appropriate orders.

2. This Criminal Revision Case, under Sections 397 & 401 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, challenging the judgment, dated 06.07.2006, passed in CrI.A.No.216 of 2004 by the VIII Additional Sessions Judge, East Godavari District at Rajahmundry, whereby, the Court below, while dismissing the appeal filed by the petitioner/A.2, modified the sentence of imprisonment imposed against him by the learned Assistant Sessions Judge, Ramachandrapuram, by judgment, dated 23.11.2004, passed in S.C.No.349 of 2002, from Rigorous Imprisonment for two years to Rigorous Imprisonment for one and half year.

3. The trial Court found the petitioner/A.2 guilty of the offence under Section 489B, 489C read with 34 of I.P.C. and imposed sentence of imprisonment and fine. However, the lower appellate Court had reduced the sentence of imprisonment from Rigorous Imprisonment for two years to Rigorous Imprisonment for one and half year by maintaining the fine imposed on petitioner/A.2. The

petitioner/A.2 was found in possession of fake currency notes and there is evidence that he was exchanging the fake currency notes. The findings of both the Courts below are based on evidence and material on record. Both the Courts below neither admitted any inadmissible evidence nor acted upon the same. There is nothing to take a different view. There is no impropriety in the impugned order. There is no miscarriage of justice. The Criminal Revision Case is devoid of merit and is liable to be dismissed.

4. In the result, the Criminal Revision Case is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Revision Case, shall stand dismissed.

24th April, 2018
Bvv

Dr. SHAMEEM AKTHER, J

