

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.229 OF 2008

ORDER:

This revision is filed by the petitioner/accused challenging the Judgment of the II Additional Metropolitan Sessions Judge, Hyderabad, dated 25.01.2008 passed in Criminal Appeal No.251 of 2007, confirming the conviction imposed by the IX Additional Chief Metropolitan Magistrate, Hyderabad in C.C.No.908/2003, dt.13.07.2007, and sentence of Rigorous Imprisonment for a period of one year for the offence under Section 304-A of the Indian Penal Code.

2. Heard learned counsel for the revision petitioner and the learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. Briefly, the case of the prosecution is that the petitioner who is the driver of a tanker ran over the deceased on 27.05.2003.

4. The learned Magistrate having examined PWs.1 to 9 and marking Exs.P1 to P13, found that this petitioner/accused had driven the vehicle in a rash and negligent manner resulting in causing accident and death of the deceased.

5. Learned Counsel appearing for the petitioner/accused would submit that this petitioner is down with severe ailments and is being treated, as such, prayed for lenient view as far as sentence is concerned.

6. Keeping in view that the incident is of the year 2003 and since 20 years have elapsed, no useful purpose would be served in sending this petitioner to jail.

7. Accordingly, the Criminal Revision Case is disposed off setting aside the conviction and sentence recorded by the II Additional Metropolitan Sessions Judge, Hyderabad, vide Judgment dated 25.01.2008 passed in Criminal Appeal No.251 of 2007, confirming the conviction imposed by the IX Additional Chief Metropolitan Magistrate, Hyderabad in C.C.No.908/2003, dt.13.07.2007, and the sentence of Rigorous Imprisonment of one year for the offence under Section 304-A of the Indian Penal Code. The Revision Petitioner is directed to pay compensation of Rs.40,000/- to the deceased family i.e. PW1-father of the deceased, through the IX Additional Chief Metropolitan Magistrate, Hyderabad, within one month from the date of this order. Failing to pay the said amount, the

revision petitioner/accused had to undergo six months imprisonment.

Miscellaneous Petitions, if any, pending, shall also stand closed.

Date: 22.11.2022
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K.SURENDER, J

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Dt. 22.11.2022

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