

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.1811 OF 2011

ORDER :

1. This Criminal Revision Case is filed by the petitioner-Accused seeking to set aside the sentence and fine imposed vide judgment dated 29.08.2011 in CrI.A.No.95 of 2010 passed by the learned IV Additional Sessions (FTC) Judge, Warangal, confirming judgment dated 12.03.2010 in C.C.No.07 of 2009 passed by the learned V Additional Judicial Magistrate of First Class, Warangal.
2. Heard learned counsel for the respective parties and perused the record.
3. A perusal of the record would reveal that the petitioner-Accused is a driver of TATA ACE vehicle bearing No.AP-09-T/C-J.1237, AP-09-FUTR 6441. On 20.10.2008, he was staging thirteen (13) persons in his trolley auto to attend a funeral. When the petitioner herein reached near Bondivagu, Hunter Road, he lost control over his driving and the said vehicle turned turtle. For which reason all the persons i.e., LWs 1 to 13 who were boarded

in the said vehicle were injured. Admittedly, all the injured witnesses had boarded his vehicle to go to a funeral. No where the witnesses stated that it was at the instance of the petitioner, they have boarded the said vehicle. However, it is for the petitioner to know as a driver to have knowledge about the safety of the passengers or the persons who are boarded in his vehicle.

4. In the view of the aforesaid reasons, this Court deems it appropriate to reduce the sentence of the imprisonment vide Crl.A.No.95 of 2010 on the file of learned IV Additional Sessions (FTC) Judge, Warangal, confirming judgment in C.C.No.07 of 2009 on the file of learned V Additional Judicial Magistrate of First Class, Warangal, under Sections 337 and 338 of I.P.C., to the period already undergone.

5. Accordingly, the Criminal Revision Case is partly allowed.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

26.12.2022
Gms

K.SURENDER, J

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.1811 OF 2011

Date: 26.12.2022

Gms