

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.732 OF 2007

ORDER:

The petitioner – Accused filed the present Criminal Revision Case questioning the correctness of the concurrent findings of the trial Court and appellate Sessions Court in convicting the petitioner – Accused for the offence under Section 409 of Indian Penal Code.

2. Heard. Perused the record.
3. The case of the prosecution is that the petitioner was the President of Handloom Weavers Co-Operative Society, Chinnaporla Village during the years 1985-86 and 1986-87. There was a complaint of mismanaged funds and when an Enquiry Officer was appointed to look into the said complaint, the said Enquiry Officer who was examined as PW2 conducted enquiry and found that there was a misappropriation of Rs.1,62,439.20 ps during his tenure.
4. Learned Magistrate having examined the witnesses i.e. PWs 1 to 5 and marking Exs.P1 to P51 found that the petitioner was guilty of misappropriation as alleged. Learned Magistrate convicted the petitioner for misappropriating the said amount and when the same

was questioned before the Sessions Court by way of filing an appeal, the Sessions Court confirmed the conviction and sentence imposed by the Lower Court.

5. Learned counsel appearing for the petitioner represents that the client has not contacted them.

6. Since the incident occurred in the year 1992 and more than 31 years have elapsed since the date of incident, this Court deems it appropriate to reduce the period of sentence of imprisonment to the period already undergone.

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

Miscellaneous Petitions, pending if any, shall stand closed.

K.SURENDER, J

Date: 02.01.2023
ns