

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWELFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No: 44 of 2024

Criminal Revision Case filed under Section 397 & 401 of Cr.P.C., aggrieved by the judgment dated 06-12-2023 in CrI.A.No.14 of 2020 on the file of the Court of the Principal Sessions Judge at Nagarkurnool confirming the judgment dated 20-01-2020 passed in S.C.No.274 of 2017 on the file of the Court of the Assistant Sessions Judge at Nagarkurnool.

Between:

Muddam Sreenu, S/o. Baraiah, Aged about 38 years, occ: Agriculture, R/o Manganoor Village, Bijinapally Mandal.

...Accused/Petitioner

AND

The State of Telangana, Through Sub Inspector of Police, Bljinapally Rep. by Public Prosecutor, High Court for the State of Telangana

...Respondent

IA NO: 1 OF 2024

Petition under Section 482 of CrI.P.C. praying that in the circumstances stated in the accompanying grounds of Revision, the High Court may be pleased to dispense with filing of certified copy of Judgment dated. 20-1-2020 in SC No.274 of 2017 on the file of the court of the Asst. Sessions Judge, Nagarkurnool, by permitting the petitioner to file the Xerox copy of the same.

IA NO: 2 OF 2024

Petition under Section 397 (1) CrI.P.C. praying that in the circumstances stated in the accompanying grounds of Revision, the High Court may be pleased to suspend the operation of the judgment passed by the court of the Principal Sessions Judge, Nagarkurnool in CrI.A.No.14 of 2020 dated 6-12-2023, whereby the sentence was reduced for a period of six months from one year as imposed by the learned Trial court/ Asst. Sessions Judge, Nagarkurnool, in SC No. 274 of 2017 dated 20-1-2020 for the offence under section 324 IPC, and enlarge the

petitioner on bail, on such terms as this Court deems fit and proper in the interest of justice pending disposal of CrI. R.C.

Counsel for the Petitioner: SRI T. SANJAY REDDY

Counsel for the Respondent: ADDITIONAL PUBLIC PROSECUTOR

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL REVISION CASE No.44 OF 2024

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner/accused to set aside the judgment dated 06.12.2023 in CrI.A.No.14 of 2020 passed by the Principal Sessions Judge, Nagarkurnool, whereby the sentence was reduced for a period of six months from one year as imposed by the Assistant Sessions Judge, Nagarkurnool vide judgment dated 20.01.2020 in S.C.No.274 of 2017.

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

3. The petitioner was charged for the offence under Sections 307 and 504 of IPC and was tried by the learned Assistant Sessions Judge at Nagarkurnool in S.C.No.274 of 2017. The learned Assistant Sessions Judge by judgment dated 20.01.2020 found that the acts of the petitioner did not amount to causing injuries with an

intent to cause the death of deceased and accordingly, acquitted the petitioner for the offences under Sections 307 and 504 of IPC and convicted him for the offence under Section 324 of IPC and sentenced to undergo simple imprisonment for a period of one year and to pay fine of Rs.2,000/-; in default of payment of fine, to undergo simple imprisonment for a period of one month, which shall run subsequently to the main sentence. On appeal vide CrI.A.No.14 of 2020, the learned Principal Sessions Judge, Nagarkurnool reduced the sentence of imprisonment to a period of six months.

4. The allegation is that this petitioner had caused injuries on the head and shoulder of PW2 in an altercation in the village.

5. Learned counsel for the petitioner would submit that the petitioner is inclined to pay compensation for the injuries sustained by PW2 and prayed to reduce the sentence of imprisonment to the period already undergone.

6. According to the learned counsel for the petitioner, the petitioner is in jail since 06.12.2023 i.e. 37 days and further he had undergone imprisonment for 30 days at the time of investigation as he was arrested for attempt to commit murder.

7. Keeping in view that the incident had happened on 12.12.2016 and as of now (07) years had passed and further, both the petitioner and PW2 belong to the same village and the incident had happened on the spur of moment, this Court is inclined to set off the period of sentence of imprisonment confirmed in Crl.A.No.14 of 2020 to the period of imprisonment already undergone by the petitioner. However, additional fine of Rs.51,000/- is imposed on the petitioner. In the event of petitioner paying fine amount of Rs.51,000/-, the concerned Court shall cause appearance of PW2 and pay him an amount of Rs.50,000/- towards compensation. Failure to pay the fine amount of Rs.51,000/-, the petitioner shall undergo imprisonment of three (03) months. Needless to say, on payment of fine, the petitioner shall be set at liberty forthwith, if not required in any other cases.

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

Miscellaneous applications pending, if any, shall stand closed.

SD/- I NAGA LAKSHMI,
DEPUTY REGISTRAR.

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Sessions Judge at Nagarkurnool
2. The Assistant Sessions Judge at Nagarkurnool.
3. The Superintendent, District Jail, Mahabubnagar
4. The Station House Officer, Bijinepally Police Station, Nagarkurnool District.
5. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad.(OUT)
6. One CC to SRI T. SANJAY REDDY, Advocate [OPUC]
7. Two CD Copies

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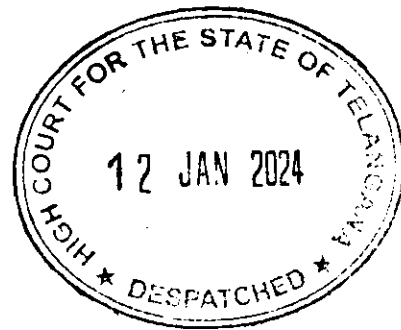


HIGH COURT

DATED:12/01/2024

ORDER

CRLRC.No.44 of 2024



**THE CRIMINAL REVISION
CASE IS PARTLY ALLOWED**

(10)
MA
12/1/24