

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.556 OF 2001

Mallidi Satyanarayana Reddy

...Appellant(s)

Versus

State of Andhra Pradesh & Ors.

...Respondent(s)

O R D E R

Heard learned counsel for the parties.

In the present case, seven accused persons, including Mallidi Satyanarayana Reddy [A-3], appellant herein, were charge-sheeted. Accused V. Venkateswara Rao [A-2] died during trial and trial in relation to accused A.B. Andrews Paul @ Rajan [A-5] was separated as he was declared absconder. Out of remaining five accused persons, accused S. Subba Rao [A-4], V. Nanda Gopal [A-6] and K. Hari [A-7] were acquitted by the Trial Court. So far as remaining two accused persons, namely, K. Venkateswara Rao [A-1] and Mallidi Satyanarayana Reddy [A-3], are concerned, K. Venkateswara Rao [A-1] was convicted under Section 420 of the Indian Penal Code, 1860 [hereinafter referred to as "I.P.C."] and sentenced to undergo rigorous imprisonment for a period of two years and to pay fine of Rupees four thousand; in default, to undergo further rigorous imprisonment for a period of six months and Mallidi Satyanarayana Reddy [A-3] was convicted under Section 420 I.P.C. and sentenced to undergo rigorous imprisonment for a period of two years and to pay fine of Rupees four thousand; in default, to undergo further simple imprisonment for a period of five months.

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Mallidi Satyanarayana Reddy [A-3] was further convicted under Section 471 I.P.C. and was sentenced to undergo rigorous imprisonment for a period of six months and to pay fine of Rupees one thousand; in default, to undergo further imprisonment for a period of six months. Both the sentences were, however, ordered to run concurrently.

Against the order of acquittal, no appeal was preferred by the State whereas, on appeal being preferred by A-1 and A-3, Sessions Court upheld their convictions whereafter a revision application was filed before the High Court, which has been dismissed by the impugned order. Against their convictions, A-1 and A-3 filed special leave petitions before this Court. So far as K. Venkateswara Rao [A-1] is concerned, special leave petition filed by him was dismissed whereas leave was granted in relation to Mallidi Satyanarayana Reddy [A-3].

Having heard learned counsel for the parties and perused the records, we are of the view that the Trial Court as well as the Appellate Court convicted the appellant upon threadbare discussion of evidence and the High Court has not committed any error in refusing to interfere with the same.

The appeal fails and the same is, accordingly, dismissed.

Bail bonds of the appellant, who is on bail, are cancelled and he is directed to be taken into custody forthwith to serve out the remaining period of sentence for which the matter must be reported to this Court within two months from the date of receipt/production of copy of this order.

[B.N. AGRAWAL]J.

[G.S. SINGHVI]J.

New Delhi,
December 11, 2008.