

ITEM NO.46

COURT NO.6

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1421/2010

(From the judgement and order dated 24/06/2009 in CRLA No. 114/2007
of The HIGH COURT OF A.P AT HYDERABAD)

MOGULAIAH

Petitioner(s)

VERSUS

STATE OF A.P. REP.INSP.OF POLICE

Respondent(s)

(With appln(s) for bail and office report)

Date: 16/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr.S.Mahendran,Adv.

For Respondent(s) Mr. I.Venkatanarayana, Sr. Adv.
Ms. Nirada Das, Adv.for
Ms. C.K.Sucharita, Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed
order.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1284 OF 2010
(Arising from S.L.P.(Criminal) No.1421 of 2010)

Mogulaiah

..Appellant

versus

State of A.P.Rep. Inspector of Police

..Respondents

O R D E R

Leave granted.

The appellant was convicted under Section 376, Indian Penal Code by the Additional Metropolitan Sessions Judge cum Mahila Court, Hyderabad and sentenced to undergo life imprisonment and imposed a fine of Rs.2,000/-, in default, to further undergo rigorous imprisonment for two months.

His conviction and sentence were confirmed by the High Court by the impugned order.

By order dated 05th February, 2010, this Court issued notice limited to the quantum of sentence only.

State of Andhra Pradesh is now represented.

Having heard learned counsel for the parties and having perused the record, we are of the opinion that the ends of justice would be sub-served if, while upholding conviction of the appellant, we reduce the period of sentence from life imprisonment to ten years' simple

-2-

imprisonment. We order accordingly. However, the fine and default clause shall remain intact.

The Appeal is disposed of accordingly.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
JULY 16, 2010

.....J.
[T.S. THAKUR]