

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.457 OF 2009  
[ARISING OUT OF SLP (CRIMINAL) NO.1561 OF 2009]

N.CHINNA SESHU REDDY & ANR. Appellant(s)

VERSUS

STATE OF A.P.THR.SECRETARY Respondent(s)

ORDER

Leave granted.

We have heard learned counsel for the parties.

In this appeal, the appellants were tried for the charges under Sections 307, 326 and 324 IPC but were convicted for the offence under Section 323 IPC and sentenced to pay a fine of Rs.1,000/- each by the Assistant Sessions Judge.

Aggrieved against the aforesaid order, the State preferred an appeal praying for the conviction to be altered to an offence punishable under Section 307 or 326 IPC and to enhance the sentence passed against the respondents.

The High Court allowed the State's appeal and sentenced the accused to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/- each in default to suffer simple imprisonment for two months for the offence under Section 325 read with 34 IPC; the entire fine amount if realized to be paid as compensation to PW.5 under Section 357 Cr.P.C.

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Aggrieved against the aforesaid order of the High Court, the accused-appellants have filed the present appeal. It appears that in the meanwhile appellants and the victim who are brothers have compromised the matter.

In consideration of the totality of the facts and circumstances of this case, we deem it appropriate to grant the benefit of probation under the Probation of Offenders Act, 1958 to the appellants. The fine of Rs.5,000/- is enhanced to Rs.25,000/- in each case; the entire



[Signed order is placed on the file]