

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

CRIMINAL APPEAL NO(s). 804 OF 2003

P. SAIDU MOHAMMED Appellant (s)

VERSUS

STATE OF KERALA & ANR. Respondent(s)

(With appln(s) for ex-Parte stay)

Date: 15/07/2010 This Appeal was called on for hearing today.

CORAM :

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

For Appellant(s) Mr. Gireesh Kumar, Adv.
Mr. Parameswar K., Adv.
Mr.Khwairakpam Nobin Singh,Adv.

For Respondent(s) Mr. G. Prakash,Adv.

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

The Appeal is disposed of.

(Rajesh Dham)
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(s). 804 OF 2003

P. SAIDU MOHAMMED Appellant (s)

VERSUS

STATE OF KERALA & ANR. Respondent(s)

O R D E R

Heard the learned counsel for the parties.

This Appeal, by special leave, has been filed against
the impugned judgment of the Kerala High Court dated

13.01.2003.

The facts of the case have already been stated in the impugned judgment of the High Court, and hence we are not repeating them here.

On the facts and circumstances of the case and to do substantial justice between the parties, we are of the opinion that ends of justice will be sub-served if, while maintaining the conviction of the appellant, we alter the sentence to the period already undergone by the appellant. We order accordingly. However, the fine and default clause shall remain intact. The impugned judgment of the High Court is modified to that extent. By order dated 14.07.2003 this Court had granted bail

to the appellant. Bail bonds of the appellant are discharged.

The Appeal is disposed of accordingly.

.....J.
(MARKANDEY KATJU)

.....J.
(T.S. THAKUR)

NEW DELHI
JULY 15, 2010.