

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). 134 OF 2005

G.VENKATSH MURTHY

Appellant (s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

(With appln(s) for suspension of sentence, permission to file
additional documents and office report)

WITH APPEAL(CRL) NO. 135 of 2005

(With appln(s) for suspension of sentence, permission to file
additional documents and office report)

Date: 18/01/2012 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Ms. Tanuj Bagga, Adv.

For Respondent(s) Mr. Gurudatta Ankolekar, Adv.
Mr. Azeem A. Kalebudde, Adv.
Mr. V.N. Raghupathy, Adv.

Mr. Sanjay R. Hegde, Adv.

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

Heard learned counsel for the parties.

It appears that in these cases, the appellants have
been convicted concurrently on charges under Sections 302,
307, 457 read with Section 34, IPC. Apart from that, they
have also been convicted under Section 3 of the Explosive
Substances Act.

We find that the judgment of the High Court runs into

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more than 300 pages and in view of the facts and
circumstances of these cases, disposal of these appeals by
this Court will take a considerable length of time.

Moreover, to hear these matters, this Bench will not be
available beyond the end of January, 2012. In view of the
aforesaid circumstances, we pass the following order:

It appears from the materials which have been disclosed
before us that the appellants have been continuously in

actual imprisonment from 30th July, 1997 in connection with the conviction inflicted on them in these cases. Therefore, they must have completed more than 14 years of actual imprisonment by July, 2011. In view of the same, we direct the State Government to examine whether the appellants are entitled to be released after considering their cases for remission in accordance with the jail manual, having regard to the fact of their suffering actual imprisonment for more than 14 years.

We request learned counsel appearing for the State to forward a copy of this order to the concerned authorities of the State Government immediately and we direct the concerned authorities to take a decision within a period of four weeks from the date of receipt of this order.

Learned counsel for the State is directed to file an affidavit bringing on record the action taken by the concerned authorities.

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The appeal may be placed before an appropriate Bench after a period of six weeks from today along with the affidavit to be filed by the learned counsel for the State.

(G. SUDHAKARA RAO)
COURT MASTER

(VINOD KULVI)
COURT MASTER