

Krishnaswamy Naicker and Others

Vs

State of Tamil Nadu

Criminal Appeal No. 371 of 1975

(Syed M. Fazal Ali, A.D. Koshal JJ)

19.11.1979

JUDGMENT

FAZAL ALI, J. –

1. This appeal by special leave is confined to the question of sentence only. Three appellants have been convicted under Section 302 and sentenced to life imprisonment as commuted by the High Court. The High Court also imposed a fine of Rs. 15,000 each in lieu of the reduction of sentence from death to life imprisonment.

2. We have heard counsel for the parties and having regard to the particular facts and circumstances of the case we reduce the fine from Rs. 15,000 each to Rs. 2000 each and in default one year's rigorous imprisonment to run concurrently with the life sentence. With this modification, the appeal is dismissed. The entire fine if realised shall be paid as directed by the High Court.

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