

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 365 OF 2020  
(Arising out of S.L.P.(CrI.) No. 8621 of 2019)

Gopalakrishnan @ Mohanan & Ors. . . . .Appellant(s)

Vs.

State of Kerala & Ors. . . . .Respondent(s)

O R D E R

Leave granted.

Three appellants along with accused No.1-Krishnan were convicted for having committed offences punishable under Sections 326, 324, 427 and 452 IPC read with Section 149 IPC and Sections 143 and 148 of IPC.

They challenged their conviction before the High Court and the High Court converted their conviction to one under Sections 326, 324, 427 and 452 read with Section 34 IPC.

As far as A.1-Krishnan was concerned, he being the father of the present appellants and being an aged person was awarded substantive sentence till the rising of the Court and was directed to pay compensation of Rs.50,000/- to PW.2 and Rs.10,000/- to PW.3 within a period of three months and in default, to undergo 6 months R.I.

The occurrence is of 23.5.2005 which is almost 15 years back. The appellants were neighbors and keeping in view the fact that all the appellants before us have undergone sentence of more than one month in fact one month and 3 days in case of A.2 and one month 25 days in case of A.3 and 4, we modify their sentence to the period

of imprisonment already undergone but as far as fine/compensation under Section 357(3) of the Cr.P.C. is concerned, we direct that each of the appellant shall pay Rs.50,000/- to PW.2 and Rs.10,000/- to PW.3 failing which each shall be liable to undergo three months R.I.

The Appeal is disposed of accordingly.

Pending application(s), if any, shall stand(s) disposed of.

.....J.  
(DEEPAK GUPTA)

.....J.  
(ANIRUDDHA BOSE)

New Delhi;  
28th February, 2020.

ITEM NO.20

COURT NO.15

SECTION II-B

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 (Cr1.) No(s). 8621/2019

(Arising out of impugned final judgment and order dated 17-07-2019 in CRLA No. 1251/2010 passed by the High Court Of Kerala At Ernakulam)

GOPALAKRISHNAN @ MOHANAN & ORS.

Petitioner(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. )

Date : 28-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Basant R.,Sr.Adv.  
Mr. K. Rajeev, AOR  
Mr. Shinoj K Narayanan,Adv.

For Respondent(s) Mr. Nishe Rajen Shonker,adv.  
Mrs. Anu K Joy,Adv.  
Mr. Alim Anvar,Adv.

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

Leave granted.

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

Pending applications, if any, stand disposed of.

(SUMAN WADHWA)  
AR-cum-PS

(RAJINDER KAUR)  
ASSISTANT REGISTRAR

Signed order is placed on the file.