

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPEAL NO.1315 OF 2019**  
**(Arising out of SLP (CrI.) No.7879 of 2019**  
**Arising out Diary No.30618/2018)**

**WILSON & ORS.**

**Appellants**

**VERSUS**

**STATE OF KERALA**

**Respondents**

**O R D E R**

**Delay condoned.**

**Leave granted.**

**The appellants were convicted by the Additional Sessions Judge (Adhoc-II), Thodupuzha, Kerala, in Sessions Case No.232/2003 for offences punishable under Sections 307, 326, 324, 341, 450 and 447 IPC and were awarded sentence of three years under Sections 307, 326 and 450 IPC with minor sentences on other counts.**

**In Criminal Appeal No.2054 of 2004 preferred by the appellants, the High Court acquitted them of the charge under Sections 307, 324 and 450 IPC and affirmed the order of conviction under Section 326 IPC but reduced the substantive sentence to six months. The conviction under Sections 341 and 447 IPC was maintained.**

**In this appeal challenging the aforesaid decision of the High Court, this Court, on 22.07.2019, passed the following order:**

"Learned Chamber Judge had granted exemption from surrendering to the petitioners on 11.01.2019.

We recall that order and direct the petitioners to surrender immediately.

Subject to each of the petitioners depositing a sum of Rs.50,000/- before the Trial Court within two weeks from today, let notice be issued returnable on 30.08.2019.

Dasti service, in addition, is permitted.

Liberty is granted to serve the learned Standing Counsel for the State."

Mr. Adolf Mathew, learned counsel for the appellants submitted that in compliance of the aforesaid direction, the appellants have already surrendered and have also deposited money as directed by this Court.

We have heard Mr. Adolf Mathew, learned counsel for the appellants and Mr. Nishe Rajen Shonker, learned counsel for the State.

After going through the entirety of the matter, in our view, the ends of justice would be met if the substantive sentence imposed upon the appellants is reduced to the one which has already been undergone. We order accordingly.

The appellants shall be released forthwith, if not already required in connection with any other case.

The money deposited pursuant to our order dated 22.07.2019 shall now be made over to the victim, namely, PW1.

With the aforesaid observations, this appeal is allowed.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[VINEET SARAN]

NEW DELHI;  
AUGUST 30, 2019

