

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO.1237 of 2015****IN****CRIMINAL APPEAL NO. 833 OF 2009**

Anant @ Anna Rama Tambe

..Appellant.

versus

The State of Maharashtra

..Respondent.

.....

Mr.Kirankumar Phakade i/by Mr. Rakesh Bhatkar, Advocate for the Applicant.

Mr.A.S.Shitole, A.P.P. for the State.

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**CORAM : SMT V.K. TAHILRAMANI, Acting C.J.&
A.S. GADKARI, J.****8th October, 2015.****P.C. :**

Heard learned counsel for the applicant-appellant original accused No.3 and the learned A.P.P.

2) This Criminal Appeal came up for hearing on 14.8.2015. On that day as no one appeared for appellant-accused No.3, so also, on the earlier date no one had appeared for the appellant-accused No.3, this court issued bailable warrant against the appellant-accused No.3 in the sum of Rs.25,000/-for production of the appellant-accused No.3 before this court on 21.9.2015.

3) Pursuant to the said order, the appellant-applicant Shri. Anant @ Anna Rama Tambe appeared before this court on 5.10.2015. He informed the court that he is residing in remote place in Nivali Village and he does not have any mobile phone and hence, it was not possible for his Advocate to contact him

immediately and inform him to remain present. Moreover, the applicant did not have any knowledge about the date when the matter was to appear before this court and his Advocate was also not able to contact him and therefore, the applicant-accused was not present before this court. The applicant assured the court that he will remain present before the court on the date indicated by the court.

4) The applicant has preferred this application for cancellation of bailable warrant issued against him by order dated 14.8.2015. In addition to the assurance given by the applicant as stated above, the learned Advocate for the applicant/appellant also assured the court that he will remain present on all the dates and he will go on with the matter. In view of the assurance given by the applicant as well as the learned counsel for the applicant-appellant, bailable warrant issued against the applicant is cancelled. Application is allowed in the above terms.

(A.S. GADKARI, J.)

(ACTING CHIEF JUSTICE)

CERTIFICATE

Certified to be true and correct copy of the original
signed Judgment/Order.