

THE HON'BLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.874 OF 2015

ORDER:

The petitioner/complainant has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 06.04.2015, passed in CrI.M.P.No.264 of 2015 in C.C.No.72 of 2014 on the file of the Special Judicial Magistrate of First Class, Kovur, whereby the trial Court allowed the petition filed by the accused for recalling the Non Bailable Warrants issued against him.

Heard.

Learned counsel for the petitioner/de facto complainant submits that the trial Court in a casual manner without giving opportunity of hearing the complainant allowed the petition filed by the accused for recalling the NBW issued earlier and as such, prays this Court to allow the criminal revision case.

Considering the facts and circumstances, this Court is of the view that the trial Court has the discretion to issue NBWs or recall the NBWs and as such, this Court is not inclined to interfere with the order of the trial Court. Further, recall of the NBW issued against the accused will not cause any prejudice to the complainant and as such, the present revision case is liable to be dismissed.

The Criminal Revision Case is accordingly dismissed. Consequently, the miscellaneous petitions filed in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

09.06.2015

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