

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3146 OF 2015

ORDER:

1. This revision case is filed by the petitioner aggrieved over the docket order dated 26.8.2015 passed in C.C.No.510 of 2015 by the Judicial First Class Magistrate, Kurnool.

2. The 2nd respondent-complainant lodged a private complaint before the learned Magistrate against the petitioner for the offences punishable under Sections 506, 323, 324 and 365 r/w 34 IPC and the learned Magistrate after recording the sworn statements of P.Ws.1 to 3 took cognizance against the petitioner for the offence punishable under Sections 324 and 506 IPC and issued summons and posted the matter to 18.5.2015. On 26.8.2015, the learned Magistrate passed the following order:

“Complainant present. R.P Returned with endorsement refused. Hence deemed to be service of summons. Accused called absent. No representation. Issue NBWs to accused on payment of process. Call on 3.11.2015.”

Aggrieved by the same, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. It is the case of the petitioner that he has not received any summons in the above case and he is ready to appear before the Court and therefore, NBWs issued against him may be recalled.

5. Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

“The petitioner is directed to surrender before the learned Magistrate and move an application seeking to recall NBWs issued against him. On such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioner on the same day on condition of the petitioner executing a personal bond for a sum of Rs.1,000/- (Rupees One Thousand only) with one surety for the like sum to the satisfaction of the learned Magistrate. The petitioner is directed to appear before the learned Magistrate as and when required.

6. Accordingly, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 16.12.2015

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