

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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Crl.P. Nos.6327, 6330, 6331, 6332, 6335 and 6363 of 2015

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Between:

Sandaka Venkata Padmavathi

.. Petitioner/ accused

And

The Station of A.P., rep. by its Public Prosecutor,
High Court of Telangana and Andhra Pradesh, Hyderabad & another
.. Respondents

DATE OF JUDGMENT PRONOUNCED: 20-07-2015

SUBMITTED FOR APPROVAL:

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA
RAO**

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to Yes/No
see the fair copy of the Judgment?

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P. Nos.6327, 6330, 6331, 6332, 6335 and 6363 of 2015

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COMMON ORDER :

These Criminal Petitions are directed against the impugned

orders passed by the learned III Additional Judicial Magistrate of First Class, Rajahmundry on 12.03.2015 in CrI.M.P. No.890 of 2015 in CC No.279 of 2014, CrI.M.P. No.891 of 2015 in C.C. No.314 of 2014, CrI.M.P. No.1309 of 2015 in C.C. No.241 of 2014, CrI.M.P. No.888 of 2015 in C.C. No.371 of 2014, CrI.M.P. No.892 of 2015 in C.C. No.330 of 2014 and CrI.M.P. No.894 of 2015 in C.C. No.355 of 2014 respectively, which are outcome of private complaints by different *de facto* complainants against the self-same petitioner/accused for the offence under 138 (A) and 142 N.I Act, it is for non-appearance of the petitioner/ accused respectively leave about in other three cases also and for lack of representation much less an application under Section 317 Cr.P.C to attend the absence in seeking adjournment, NBWs were issued by the learned Magistrate, recall petitions covered by impugned orders which were ended in dismissal without presence of the accused, now the present applications are filed.

Heard learned counsel for the petitioner as well as 1st respondent—State before admission and before ordering notice to 2nd respondent—*de facto* complainant.

The Criminal Petitions are disposed of, instead of giving life to the litigation pending service of notice to 2nd respondent/ *de facto* complainant, giving liberty to petitioner/ accused to surrender himself before the learned Magistrate concerned within one week from the date of receipt of a copy of this order and file application under Section 70 (2) Cr.P.C afresh, in such an event the learned Magistrate shall recall the warrants so as to proceed with the trial of the case. Needless to say, if the bonds earlier taken if any, seizes its force to obtain fresh bond under Section 88 r/w 89 Cr.P.C.

4) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.20.07.2015
Knl

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Date:20.07.2015

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