

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2893 of 2015

ORDER:

1. This Criminal Revision Case is filed by the petitioner aggrieved by the order dated 9.11.2015 passed in CrI.M.P.No.309 of 2015 in S.C.No.16 of 2014 by the Special Judge for Trial of Cases under the Protection of Children from Sexual Offences Act 2012-cum-I Additional District & Sessions Judge, Srikakulam.

2. The petitioner filed the above CrI.M.P. before the trial Court under Section 70(2) Cr.P.C. seeking to recall NBWs issued against him in his absence. The trial Court dismissed the said application on the ground that the petitioner was absent. Hence, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the Criminal Revision Case is disposed of with the following direction:

“The petitioner is directed to surrender and file move an application afresh before the trial Court seeking to recall NBWs issued against him. On such surrender and on such application being filed, the trial Court is directed to consider and recall NBWs issued against the petitioner on the same day.”

Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 26.11.2015

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26.11.2015

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