

THE HON'BLE SRI JUSTICE RAJA ELANGO

-

CRIMINAL REVISION CASE No.2735 OF 2015

ORDER:

This criminal revision case under Sections 397 and 401 of the Code of Criminal Procedure is filed by the petitioner seeking to set aside the order, dated 30.09.2010, passed in C.C.No.769 of 2010 by the Court of the II Additional Judicial First Class Magistrate, Bhimavaram, whereby the learned Judge took cognizance of the case against the petitioner herein along with other accused.

Heard and perused the material.

Learned counsel for the petitioner submits that the case in C.C.No.769 of 2010 was subsequently transferred to Principal Junior Civil Judge, Bhimavaram and renumbered as C.C.No.490 of 2011. He submits that the Court below while acquitting A.1, A.2, A.4, A.6 to A.9, vide its Judgment dated 21.11.2013, split up the case against the petitioner herein, who is A.5 in the said case, and A.3 and the same is numbered as C.C.No.2 of 2012. He further submits that the Court below erroneously issued warrants to the petitioner herein when the petitioner herein is a deserted woman from her husband and while she went abroad to eke out her livelihood and as such, prays this Court to recall the warrants issued against the petitioner herein.

In view of the facts and circumstances, the petitioner herein is directed to appear before the Court below and file an application for recalling NBW issued against her and on filing of such application, the Court below is directed to recall the NBW issued against the petitioner herein on the same day on condition of the petitioner executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the said Magistrate.

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

JUSTICE RAJA ELANGO

16.11.2015

pln