

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2728 of 2015

ORDER:

This criminal Revision Case is filed by the petitioners, under Sections 397 and 401 of Criminal Procedure Code, against order dated 13.10.2015 passed in C.C. No.185 of 2011 by the II Judicial Magistrate of First Class, Kanigiri, whereby the learned Magistrate issued NBWs against the petitioners.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that though an application was filed under Section 317 Cr.P.C., before the Court stating the reasons for non-appearance of the petitioners before the Court below, the Court below without considering the same, dismissed the said application, therefore, the order of the Court below may be set aside.

After hearing the arguments of the learned counsel for the petitioner and after perusing the material available on record, this court is inclined to pass the following order:

The petitioners are directed to approach the Court below and file an application to recall the warrants pending against them and on filing of such application, the Court below is directed to recall the NBWs on the same day and to proceed with the case in accordance with law. The petitioners are also directed to appear before the Court below on all hearing dates.

With the above directions, the Criminal Revision Case is disposed of. Miscellaneous Petitions, if any pending, shall stand closed.

RAJA ELANGO, J

November 16, 2015.

KTL