

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3079 of 2015

ORDER:

This revision is preferred challenging the order, dated 24.11.2015, passed in CrI.M.P. No.390 of 2015 IN CrI.A. No.8 of 2014 by the XI Additional District & Sessions Judge, Tenali, Guntur District, whereby the learned Sessions Judge, dismissed the application filed by the petitioner for recalling N.B.W. issued against him.

The petitioner was sentenced to suffer rigorous imprisonment for a period of six years and also sentenced to pay fine of Rs.1,000/- for the offence under Section 366-A IPC, by the Principal Assistant Sessions Judge, Tenali, vide Judgment, dated 09.01.2014. He preferred an appeal before the XI Additional District & Sessions Judge, Tenali against the said order. As the petitioner did not appear before the XI Additional District & Sessions Judge, NBW was issued against him on 07.07.2014. To recall the said warrant, the petitioner filed CrI.M.P. No.390 of 2015 before the said Court. The said application was dismissed through the impugned order.

The learned counsel for the petitioner submitted before this Court that the petitioner is not aware of the date of adjournments of the appeal and hence, he could not appear before the Court and his absence is neither wilful nor wanton and now he is ready to appear before the appellate Court regularly.

Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and having perused the material available on record, this Court is of the view that the revision can be disposed of with the following directions:

The petitioner-accused is directed to appear before the Court concerned and file a petition to recall the warrant issued against him and on such filing of a petition, the Court concerned is directed to recall the warrant on the same day on petitioner executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum and further the petitioner is directed to appear before the Court concerned regularly.

Accordingly, the Criminal Revision Case is disposed of. Consequently, the Miscellaneous Petitions pending, if any, in this revision shall stand closed.

RAJA ELANGO, J

December 10, 2015.
KTLS