

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3338 OF 2015

ORDER:

This criminal revision case under Sections 397 and 401 of the Code of Criminal Procedure is filed by the petitioner/A.5 seeking to set aside the order, dated 07.12.2015 passed in CrI.M.P.No.349 of 2015 in S.C.No.1 of 2013 by the Court of the Special Judge for Trial of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional District and Sessions Judge, Srikakulam, whereby the Court below issued Non Bailable Warrants (NBW) to the petitioner herein.

Heard and perused the material.

Learned counsel for the petitioner submits that the Court below passed an erroneous order and issued Non Bailable Warrants (NBWs) against the petitioner herein when he was absent before the Court below. The application filed by the petitioner to recall the NBW is also dismissed by the Court below on the ground that the petitioner was continuously absent. He further submits that the petitioner is ready to appear before the Court below whenever his presence is required before the Court below.

Considering the facts and circumstances, the petitioner/A.5 is directed to appear before the Court below and file an application for recalling NBWs issued against him, and on filing of such application, the Court below is directed to recall the NBWs issued against the petitioner/A.5 on the same day on condition of his 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. Further, the presence of the petitioner/A.5 before the trial Court is dispensed with except on the dates when the trial Court insists for his appearance.

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

JUSTICE RAJA ELANGO

05.01.2016

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