

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6863 of 2016

ORDER:

This Criminal Petition is filed by the petitioners-accused Nos.1 and 2 seeking to recall the NBWs issued against them on 24.03.2016 by the Judicial Magistrate of First class, Badvel in CC No.51 of 2014.

Heard and perused the material available on record.

The petitioners are convicted and sentenced to undergo simple imprisonment for two years and to pay a fine of Rs.1,000/- each for the offences punishable under Section 317 r/w.34 IPC and also to suffer simple imprisonment for one year and to pay fine of Rs.1,000/- each for the offences punishable under Section 506 r/w.34 IPC by the Judicial Magistrate of First Class, Badvel in CC No.51 of 2014 vide judgment dated 24.02.2016. The learned Magistrate has suspended the sentence for one month to enable the petitioners to file appeal, but the petitioners could not able to file appeal in time. Hence, the Court below issued NBWs against the petitioners. The present petition filed by the petitioners to recall the NBWs issued against them, is not maintainable. However, the petitioners are directed to approach the appropriate Court and file petitions to recall the warrants.

Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

April 29, 2016.
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