

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.264 of 2016

ORDER:

This revision is preferred challenging the order dated 05.01.2015 in CrI.M.P. No.6266 of 2014 passed in CC No.217 of 2010, by the XIII Additional Chief Metropolitan Magistrate, Mahila Court, Hyderabad wherein the learned Magistrate dismissed the application filed by the petitioner for recalling the N.B.W. issued against him.

Heard and perused the material available on record.

The wife of the petitioner lodged a complaint against the petitioner and his family members for the offences punishable under Sections 498-A, 406 and 506 IPC. The police, after completion of investigation, filed charge sheet before the XIII Additional Chief Metropolitan Magistrate, Mahila Court, Hyderabad, showing the petitioner as absconding. Therefore, the Court below issued NBWs against the petitioner.

The learned counsel for the petitioner submitted before this Court that the petitioner has no knowledge about registration of the present case against him and that he filed the impugned application before the trial Court to recall the NBWs issued against him, stating the reasons for his non appearance, but the Court below without considering the same, dismissed the said application, and that the petitioner is ready to face the trial and he will not flee from the hands of justice.

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 petition being filed, the Court concerned is directed to recall the warrant on the same day on his execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum. Further, the petitioner is directed to appear before the trial Court regularly on all hearing dates.

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

RAJA ELANGO, J

January 28, 2016

KTL