

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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CRIMINAL PETITION NO.12266 of 2016

ORDER :

This Criminal Petition is filed under Section 482 r/w 70(2) Cr.P.C. to recall the NBWs issued in the order dated 20.04.2016 in S.C.No.631 of 2014 on the file of the II Additional Senior Civil Judge, Ranga Reddy District at L.B.Nagar, Hyderabad.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor representing the State.

3. It is represented by the learned counsel for the petitioners that in S.C.No.631 of 2014, all the accused including the petitioners herein were appearing before the Court below regularly. But on 20.04.2016, the petitioners herein, who are A2, A3, A5 and A7 could not appear and on their behalf CrI.M.P.No.135 of 2016 was filed under Section 317 Cr.P.C. The Court below dismissed the said petition and issued N.B.Ws against the petitioners. It is also represented that though the reasons for non-appearance of the petitioners were mentioned in the said petition, the learned Sessions Judge, without considering the same, dismissed the petition erroneously and issued N.B.Ws.

4. In that view of the matter, this Criminal Petition is disposed of directing the petitioners to appear before the learned Sessions Judge, within a period of fifteen days and file applications under Section 70(2) Cr.P.C. On filing such applications, the Court below shall allow the same on the same day. Till such time, the warrants shall not be executed.

5. As a sequel thereto, miscellaneous petitions, if any, pending in this Criminal Petition, shall stand dismissed.

M.S.K.JAISWAL, J

Date:24.08.2016
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