

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.927 OF 2015

ORDER:

This Criminal Revision Case is preferred by the petitioner/accused under Sections 397 and 401 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C.") challenging the order, dated 19.5.2015 in CrI.M.P.No.398 of 2015 in CrI.M.P.No.706 of 2013 in CrI.M.P.No.81 of 2013 in C.F.No.3848 of 2010 on the file of the II Additional Judicial Magistrate of First Class, Nellore.

2. The petitioner/accused filed the aforementioned petition under Section 70(2) Cr.P.C. seeking to recall the N.B.W., which was issued against him. *Vide* impugned order, the N.B.W against the petitioner/accused was cancelled with a direction to him to appear before it without fail on 15.6.2015 and on executing a personal bond of Rs.20,000/- with two sureties for the like sum each by 15.6.2015. Challenging the same, the present Revision Case is filed.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case, this Court is of the view that as the petitioner is representing the Municipal Corporation, Nellore, the question of absconding or fleeing away from the hands of justice does not arise. The petitioner can rightly be directed to be represented through his counsel before the trial Court except on the dates on which the trial Court insists for his appearance to answer the charges or for any other purpose. Hence, the presence of the petitioner before the trial Court is dispensed with and the order, dated 19.5.2015 in CrI.M.P.No.398 of 2015 in CrI.M.P.No.706 of 2013 in CrI.M.P.No.81 of 2013 in C.F.No.3848 of 2010 on the file of the II Additional Judicial Magistrate of First Class, Nellore is hereby set aside and the petitioner is directed to appear before the trial Court as

and when required. However, it is made clear that the petitioner should represent his case on all hearing dates through a counsel before the trial Court. The trial Court is also directed to dispose of the matter as expeditiously as possible, preferably, within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, the Criminal Revision Case is disposed of.

6. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

27.6.2016

AMD

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[illegible]

CRI.R.C.No.927 OF 2015

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Date:27.6.2016

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