

HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1685 of 2016

ORDER:

This revision is preferred challenging the docket order dated 06.04.2016 passed in CrI.M.P. No.60 of 2016 in CrI.A. No.209 of 2014 by the VI Additional Judicial Magistrate of First Class, Guntur, wherein the learned Magistrate dismissed the application filed by the petitioner – A4 to recall the N.B.W. issued against him.

Heard and perused the material available on record.

The case in brief is that the petitioner and other accused were acquitted of the offence punishable under Section 498-A IPC in CC No.146 of 2006 vide Judgment, dated 08.09.2017, by the Judicial Magistrate of First Class, Palakollu. Against the said judgment, the de facto complainant filed CrI.A. No.209 of 2014 before the Additional District and Sessions Judge, Narsapur, West Godavari. Since the petitioner left to South Africa for his employment, he could not attend the appellate Court on 19.04.2016 and hence, the appellate Court issued NBW against him. The petitioner filed the impugned application to recall the warrant issued against him. The appellate Court dismissed the said application through the order impugned.

Learned counsel for the petitioner submitted that the petitioner was sent to South Africa by his employer to undergo training and due to the same, he could not attend the appellate Court on 19.04.2016 and hence, the appellate Court issued NBW against him and that the petitioner is ready to appear before the Court regularly after his return from South Africa and he will not flee from the hands of justice and hence, the NBWs may be recalled.

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 NBW issued by the Additional District & Sessions Judge, Narasapur, West Godavari District, against the petitioner – A4 is hereby recalled and the petitioner is directed to appear before the appellate Court at the time of pronouncement of judgment.

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

RAJA ELANGO, J

June 29, 2016.

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