

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.701 of 2016

ORDER:

Heard learned counsel for the petitioner and Additional Public Prosecutor appearing for the respondent-State.

The present Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C. challenging the order dated 15.02.2016 passed in CrI.M.P.No.129 of 2016 in CrI.M.P.No.24 of 2016 in S.T.C.No.1 of 2015 on the file of the I Special Magistrate, Kukatpally at Miyapur, wherein an application filed to recall the non-bailable warrant against the petitioner was rejected on the ground that the petitioner failed to appear before the Court.

A perusal of the material on record would show that by an order dated 29.01.2016 this Court directed accused Nos.2 and 3 in S.T.C.No.1 of 2015 to appear before the Court below and file an application for recalling of non-bailable warrants issued against them on or before 15.02.2016, on filing of the same, the Court below was directed to recall the non-bailable warrants issued against them on the same day on condition of each of them executing a personal bond for a sum of Rs.10,000/- with one surety for the like sum to the satisfaction of the said Magistrate. Further, accused Nos.2 and 3 were directed to appear before the Court below on all hearing dates, but due to ill health the petitioner could not appear before the Court. The counsel for the petitioner placed on record the Medical Certificate issued by the Civil Assistant Surgeon, Osmania General Hospital, Hyderabad, wherein it has been mentioned that the petitioner is suffering with severe back pain and low blood pressure and advised to take bed

rest till recovers and also advised to avoid staircase.

Having regard to the circumstances stated above, the non-bailable warrant issued against the petitioner is stayed for a period of two (02) weeks from today, meanwhile, the petitioner shall appear before the Court below and make an application, in which event the same shall be considered in terms of the orders passed by this Court in CrI.R.C.No.238 of 2016 dated 29.01.2016. It is made clear that no further indulgence will be shown in future.

Accordingly, the Criminal Revision Case is allowed. Miscellaneous petitions, if any, pending, shall stand closed.

C.PRAVEEN KUMAR,J

01.04.2016
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