

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1692 of 2016

ORDER:

This Criminal Revision Case, under Sections 397 and 401 Cr.P.C., is filed by the petitioner-accused No.2, seeking to set aside docket order, dated 22.06.2016 passed in PRC No.8 of 2014 by the II-Additional Judicial Magistrate of First Class, Bhimavaram, West Godavri, and consequently, recall the NBW pending against him.

Heard and perused the material available on record.

The petitioner is A2 in PRC No.8 of 2013. The de facto complainant lodged a complaint against the petitioner and other accused stating that A1, who is the son of the petitioner, used to follow her grand-daughter, who is a minor, in the name of love and on promising to marry her, he had sexual relationship with her and when the victim and her family members went and asked the accused to perform the marriage of the victim with A1, the petitioner and the other accused refused to perform the marriage and threaten them with dire consequences. The police, after completion of investigation, filed charge sheet, showing the petitioner as absconding. Therefore, the Court below issued NBW against the petitioner.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against her and she has no knowledge about filing of charge sheet and she went to Kuwait as a maid servant for eking out her livelihood and therefore, she could not attend before the Court below. He further submitted that the petitioner is ready to appear before the Court below and she will flee from the hands of justice, and hence, the NBW pending against her may be recalled.

Considering the facts and circumstances of the case and also taking into consideration the submissions of the learned counsel for

the petitioner, this Court is inclined to pass the following order:

The petitioner is directed to surrender before the Court concerned, and file an application for recalling the NBW pending against her and on filing of such application, the Court concerned is directed to recall the NBW on the same day, on petitioner executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to its satisfaction. Further, the petitioner is directed to appear before the Court below regularly on all hearing dates.

Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions, if any, shall stand closed.

RAJA ELANGO, J

June 30, 2016.

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