

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6810 of 2017

ORDER:

Heard the learned counsel for the petitioner/accused in C.C.No.439 of 2016 on the file of the Judicial First Class Magistrate, Adilabad, and also the learned Public Prosecutor for the respondent No.1 State before ordering notice to the 2nd respondent and perused the grounds urged in the petition impugning the docket order of the learned Magistrate dated 27.07.2017 while dismissing the application to condone the absence of the petitioner/accused, N.B.W. issued to execute returnable by 28.08.2017.

It is the submission that due to ill-health, the petitioner could not be able to attend on that day before the Court and his absence was not intentional or deliberate.

Having regard to the above, the petitioner is given liberty by virtue of this order to approach the trial Court by filing application u/ sec.70(2) of CrPC for recall of the N.B.W. by personal appearance.

Accordingly and in the result, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 04.08.2017

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