

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL REVISION CASE No.394 of 2017

JUDGMENT :

Heard both sides.

2. There is no illegality or impropriety in the order of the trial Court, if at all N.B.W. was pending against A.2 and the same was not executing by the police. Therefore, the petitioner-*de facto* complainant, by virtue of this order, got liberty to file a petition under Section 72 of Cr.P.C. before the trial Court to appoint an Advocate Commissioner by entrusting the warrant to the said Commissioner to execute to secure the presence of A.2. It is only in case of even such failure, he can revive the request by filing an application under Rules 22 and 23 of the Cr.P.C. read with Section 317(2) Cr.P.C, if at all, to split up as it is the discretion of the Court to sub-serve the ends of justice to exercise for not of any right of the complainant or not of right of the co-accused as for split up or to oppose for split up.
3. With the above observation, the revision is disposed of.
4. Miscellaneous petitions pending, if any, shall stand closed.

15th March 2017

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Dr. B. SIVA SANKARA RAO, J