

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5707 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. to recall the Non-Bailable Warrants (N.B.Ws.) issued on 09.05.2017 against the petitioners in I.A.No.1427 of 2016 in D.V.C.No.71 of 2015 on the file of the Court of the Judicial Magistrate of First Class (Prohibition and Excise), Kurnool.

2. Heard the learned counsel for the petitioners.

3. A perusal of the record reveals that the petitioners are respondent Nos.1 and 2 in D.V.C.No.71 of 2015. The trial Court disposed of D.V.C.No.71 of 2015 on 01.06.2016. It further reveals that the trial Court issued N.B.Ws. against the petitioners on 09.05.2017 in I.A.No.1427 of 2016 in D.V.C.No.71 of 2015.

4. Learned counsel for the petitioners submitted that the petitioners are not aware of the pendency of D.V.C.No.71 of 2015 till receiving of the notice in I.A.No.1427 of 2016.

5. At the time of hearing, the only relief sought by the learned counsel for the petitioners is to direct the trial Court to dispose of the petition, if any, filed by the petitioners under Section 70(2) Cr.P.C. on the same day.

6. Having regard to the facts and circumstances of the case, the learned Judicial Magistrate of First Class (Prohibition and Excise), Kurnool, is hereby directed to dispose of the petition, if any, filed by the petitioners appearing personally under Section 70(2) Cr.P.C.

to recall the N.B.Ws. issued against them on 09.05.2017 on the same day in accordance with law.

7. With the above direction, the Criminal Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 17.07.2017
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