

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.188 OF 2017

ORDER:

This Revision is filed against the order dated 28.12.2016 in CrI.M.P. No.3591 of 2016 in C.C. No.89 of 2016 passed by the learned Additional Junior Civil Judge, Chilakaluripet.

2) Heard learned counsel for the petitioners/ accused Nos.3 to 5. Even notice served to 2nd respondent, he failed to attend, hence taken as heard. Perused the impugned order of the lower court.

3) In the case on hand, as non-bailable warrants were issued, for non-appearance and the contention of the learned counsel for the petitioners is that there is no actual personal service is not left open for summons since shown avoiding the NBW was issued.

4) The other contention is that there is no need of insisting personal appearance of the petitioners/ accused Nos.3 to 5 to recall NBW can not be accepted as a matter of course even on referring to the expressions placed reliance in this regard. Thereby, there is nothing to interfere with the impugned order of the lower Court, but for giving liberty to the petitioners/ accused Nos.3 to 5 to surrender before the lower Court and move bail application with notice to additional public prosecutor concerned, for the learned Magistrate therefrom to grant bail on the same day, subject to execution of personal bonds for Rs.10,000/- (Rupees ten thousand only) each with two sureties for a like sum each to the satisfaction of learned Magistrate for their future due appearance and in view of clause (2) of Section 436 Cr.P.C.

5) Accordingly and in the result, the revision is disposed of.

6) As a sequel, miscellaneous petitions if any pending shall stand closed.

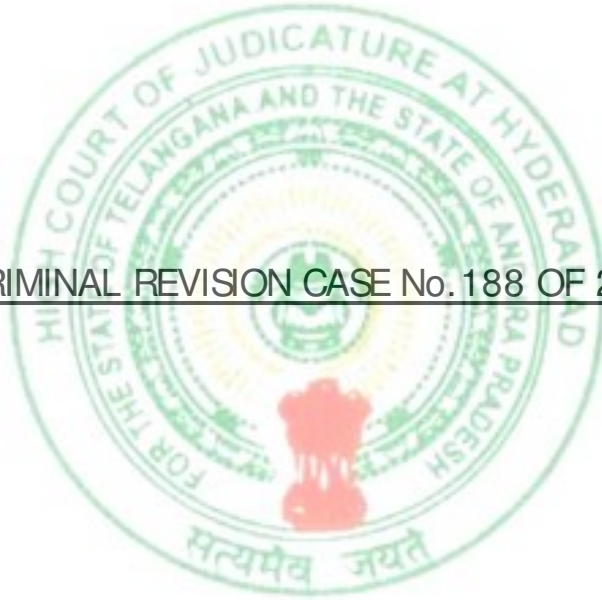
Dr. B. SIVA SANKARA RAO, J

Dt.13.02.2017
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Date:13.02.2017

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