

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL REVISION CASE No.118 OF 2018

ORDER:

This Criminal Revision Case is filed by the petitioners/accused 1 to 4 having been aggrieved by the order dated 9-1-2018 in CrI.M.P.No.66 of 2018 in Spl.S.C.No.7 of 2017 passed by the learned Principal Sessions Judge, Kadapa, dismissing the application filed under Section 70 (2) Cr.P.C. to recall N.B.Ws. ordered against them on 18-12-2017.

Petitioners and others are allegedly committed offence under Section 5 of A.P. Protection of Depositors of Financial Establishment Act, Sections 34, 455, 321, 322, 351, 383 and 499 of I.P.C. Trial court, it appears, has ordered N.B.Ws. against them for withdrawal of which, they moved the petition and the trial court having considered that the petitioners without being present in court filed the petition and that the allegations against them are grave, dismissed the said application.

Heard the learned counsel for the petitioners and learned Additional Public Prosecutor.

At the out set, this court found no illegality in the order impugned. Even without caring to attend before the court, the petitioners have moved the application to recall N.B.Ws. Therefore, the order impugned cannot be found fault with. However,

considering the submissions of the learned counsel for the petitioners that the petitioners/accused 1 and 2 are women, the petitioners are directed to appear before the trial court on 30-1-2018 and move a fresh recall petition under Section 70 (2) Cr.P.C. in which case, the trial court shall pass appropriate orders on merits on the same day.

This Criminal Revision Case is disposed of accordingly.

As a sequel, miscellaneous applications pending if any, shall stand closed.

JUSTICE U.DURGA PRASAD RAO

Dated 24th January, 2018

Dvs



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