

THE HON'BLE SRI JUSTICE P.KESHA RAO

CRIMINAL REVISION CASE No.1483 OF 2018

ORDER:

This Criminal Revision Case is filed against the docket order dated 06.06.2018 in C.C.No.243 of 2011 passed by III Additional Chief Metropolitan Magistrate, Vijayawada in issuing Non-Bailable Warrant against the petitioners herein, who are A.1, A.3 and A.4.

Heard the learned counsel for the petitioners and the learned Public Prosecutor appearing for the respondent-State and perused the material on record.

The counsel appearing for the petitioners brought to the notice of this Court that on 10.04.2018, on an application filed by the petitioners herein, their presence was dispensed with by the trial Court and they were permitted to be represented through A.2 with an observation that they should attend the Court during the course of trial if their presence is required.

From a perusal of the order dated 10.4.2018 in CrI.M.P.No.368 of 2018 in C.C.No.243 of 2011, it is clear that the presence of the petitioners herein was dispensed with and A.2 was permitted to be represented on their behalf. It is also clear from the impugned order that except the petitioners herein, other accused were present before the trial Court on 06.06.2018. Further the learned Public Prosecutor appearing for the respondent-State fairly conceded that the impugned order cannot be sustained and it appears, since the defence counsel was absent, the trial Court might have passed the impugned order.

Therefore, looking into the facts and circumstances of the case, the impugned order dated 06.06.2018 in issuing the Non-

Bailable Warrants against the petitioners herein is set aside and the Criminal Revision Case is allowed.

Pending miscellaneous petitions, if any, shall also stand closed.

P.KESHAVA RAO,J

15th JUNE 2018.
Tsr

