

THE HON'BLE SRI JUSTICE P.KESHA RAO

CRIMINAL REVISION CASE No.1613 OF 2018

ORDER:

This Criminal Revision Case is filed questioning the docket order dated 13.06.2018 on the file of Court of the Assistant Sessions Judge, Narsapur, in CrI.M.P.No.52 of 2018 in S.C.No.311 of 2013, in dismissing the petition to recall the Non-Bailable Warrants issued against the petitioner dated 20.11.2014.

Heard the learned counsel for the petitioner as well as the learned Public Prosecutor appearing for the respondent-State.

The learned counsel appearing for the petitioner would contend that the Sessions Case was already allowed against A.3 to A.5. The Court below ought to have considered the detailed explanation mentioned in the petition for the purpose of recall of the warrants issued against the petitioner herein.

Per contra, the learned Public Prosecutor opposed the revision on the ground that the notice itself was not given to the learned Assistant Public Prosecutor, apart from on merits.

Having heard both the counsel and after perusal of the material on record, this Court is of the view that when notice is not given to the Assistant Public Prosecutor, the petitioner cannot find fault with the order of the Court below. Hence, this Court is not inclined to interfere with the orders passed by the Court below since there is no irregularity or illegality in the impugned orders.

Accordingly, the Criminal Revision Case is dismissed. However, liberty is given to the petitioner to move a fresh

application before the Court below and on such application, the Court below is directed to pass appropriate orders as per law.

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

P.KESHAHA RAO,J

28th JUNE 2018.

Note: Issue C.C. in two days.

(B/o) Tsr

