

THE HON'BLE JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.9566 OF 2018

ORDER:

This petition is filed by the petitioner-A1 under Section 482 Cr.P.C., to quash the order, dated 01.02.2016 in CC.No.112 of 2014 on the file of the Judl. Magistrate of I Class, Kalyanadurg, Anantapur District, wherein N.B.W. was issued against the petitioner.

2. As seen from the record, it is evident that the petitioner-A1 did not appear before the trial Court from 01.02.2016 till 06.08.2018 and the docket proceedings clearly show that N.B.W. was issued against the petitioner. The petitioner is not appearing before the trial Court even after 2 years from the date of passing of the order. Learned counsel for the petitioner requested the Court to quash the order after two years. On account of non appearance of the petitioner, the trial in C.C. could not be proceeded with. The remedy is available to the petitioner in the statute under Section 70 (2) Cr.P.C. The petitioner can approach the trial Court and file an application under Section 70 (2) Cr.P.C. and on filing such an application and on appearance of the petitioner, the trial Court is directed to dispose of the application on the same day in accordance with law.

3. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.SATYANARAYANA MURTHY, J

DATED: 07-09-2018.

Hsd