

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.12337 OF 2018

ORDER:

1. This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioner/Accused seeking to quash the docket order, dated 15.12.2017, passed in C.C. No.306 of 2017, by the learned Additional Judicial First Class Magistrate, Alamuru, East Godavari District (For short, 'the Court'); by virtue of which, the trial Court issued N.B.Ws. against the petitioner, as he was not present on the given date of adjournment.

2. Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the 1st respondent – State.

3. Learned counsel for the petitioner submits that the counsel, who appeared on behalf of the petitioner before the trial Court, could not be present as he was busy with his official duties. Learned counsel further submits that, however, a Petition was filed and the same was allowed. But, on 24.08.2017, there was a direction that the petitioner should furnish two sureties for a sum of Rs.10,000/- each but he could not furnish the sureties till 15.12.2017. Due to the above reason only, the trial Court might have issued N.B.Ws. to the petitioner. Though no error can be found in the docket order, dated 15.12.2017, of the trial Court, this Court opines that the ends of justice would be met if the said order is quashed with a direction to the petitioner to appear before the trial Court on the next date of hearing, failing which, the docket order would remain as it is.

4. Accordingly, with the above observation, the Criminal Petition is allowed.

5. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.

T. RAJANI, J

Date: 19.11.2018.
Dsh

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Date. 19.11.2018

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