

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Revision Case No.128 of 2019

ORDER :

Impugning the dismissal of the NBW recall application U/s.70(2) of Cr.P.C. in CrI.M.P.No.576 of 2009, by the learned Metropolitan Sessions Judge, Cyberabad, on 05.02.2019 in S.C.230 of 2017, which is a case taken cognizance for the offences punishable U/s.366(A) IPC and Sections 7, 11 (IV) of Pocso Act 2012, the present Revision is maintained.

Heard and perused the material on record.

There is nothing to interfere with the impugned order of the learned Sessions Judge, that too in filing an application without even presence when NBW was issued way back on 9/19.04.2018, that too the petition filed only on 30.01.2019, but that is not the end of the matter for the reason that the bail is not cancelled even from NBW issued for bonds not even cancelled at behest, surety notice appears issued. If the petitioner personally present before the Court and filed application for recall by virtue of that order, the learned Sessions Judge can consider to allow by recall of the warrant subject to imposing penalty on the earlier bond for a reasonable amount without any further insistence, if the sureties continue but for directing them to file affidavits, else to obtain fresh bonds.

Accordingly, the petition is disposed of.

Miscellaneous petitions if any, pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.11.02.2019
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11th February, 2019

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