

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.867 of 2019

ORDER :

The petitioner is A.1 in C.C.No.141 of 2016 on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad, out come of Crime No.24 of 2015 of P.S., C.C.S., D.D., Hyderabad, dated 29.01.2015, for the offences punishable under Sections 406, 420, 323 and 506 IPC and the police after investigation filed final report that was taken cognizance and the accused while appearing, failed to attend before the Court from which the application under Section 317 Cr.P.C. was dismissed on 19.01.2017, issued Non-Bailable Warrants with the observations that the matter underwent several adjournments and the petitioner did not choose to appear and only absent petitions are frequently filing one after another and on 22.09.2017 there was no even representation, he was called absent and thereby Non-Bailable Warrant was issued and he did not even appear right from the date of taking cognizance but for filing petitions to condone absence and the so-called health problem claimed even from the medical record shows only pertains to 2012-2015, the cognizance taken in 2016 and no medical record relevant to the period of his absence even filed. Practically there is nothing to interfere with the order of the lower Court, but for to say instead of he is seeking any remedy of filing application under Section 205 Cr.P.C. or Rule 37 of the Criminal Rules of Practice after appearance for one to represent the others or to represent through Special Vakalat holder, as the case may be. From

the difficulty, he was choosing to file frequent petitions even with first appearance, thereby to sub-serve the ends of justice from what is stated of pending investigation only Section 41-A Cr.P.C. notice issued and no bail obtained and because the offences are non-bailable offences involved, his remedy is to surrender and move for regular bail to consider by the learned Magistrate, by virtue of this order, with necessary conditions, preferably on the same day.

2. With the above observations, the criminal petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

15th February 2019

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