

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5330 of 2019

ORDER:-

1. The present Criminal Petition is filed under Section 482 Cr.P.C. questioning the order, dated 20.08.2019, passed in S.C.No.35 of 2018 on the file of the Special Sessions Judge for Trial of Cases under SCs/ STs (POA) Act, 1989-cum-VII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.

2. The petitioner herein is facing trial in the aforesaid Sessions Case for the offences punishable under Sections 323, 504, 506 read with 34 IPC and Sections 3 (1) (r) (s) and Section 3 (2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. On 20.08.2019, when the matter was came up for hearing of charges, the petitioner could not appear before the trial Court due to ill-health and as such the Counsel for the petitioner filed a petition under Section 317 Cr.P.C. to condone his absence. While, returning the said petition, the trial Court issued N.B.W. against the petitioner. Challenging the issuance of N.B.W., the present Criminal Petition is filed under Section 482 Cr.P.C.

3. Heard both sides and perused the impugned order.

4. Learned Counsel for the petitioner submits that the petitioner could not attend the trial Court on the aforesaid date as he was not feeling well and that now the petitioner is prepared to appear before the trial Court and therefore, the N.B.W. issued against him may be recalled.

5. Having regard to the facts and circumstances of the case, the Criminal Petition is allowed and the Non Bailable Warrant issued against

the petitioner on 20.08.2019 is hereby recalled and the petitioner is directed to appear before the trial Court in connection with the above Case within one week from the date of receipt of a copy of this order and also on all subsequent hearing dates without fail. Consequently, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G. SRI DEVI

28.08.2019
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