

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.13669 of 2018

ORDER :

The petitioner is A18 in C.C.No.1065 of 2012 on the file of the XIV Additional Chief Metropolitan Magistrate, Hyderabad, taken cognizance for the offences punishable under Sections 420, 468, 471 read with 120b IPC among other, if any, for his absence from dismissal of Section 317 Cr.P.C application on 26.07.2017 subsequently without presence, the warrant recall application filed in CrI.M.P.No.928 of 2018 that was dismissed saying no grounds to recall NBW, that too without presence of the petitioner, vide order dated 12.03.2018. It is impugning the same, CrI. R.P.No.135 of 2018 filed before the learned Metropolitan Sessions Judge, Hyderabad by the accused and the same was confirmed by order dated 27.08.2018, the same is the impugment herein.

Heard learned counsel for the petitioner and the learned Special Public Prosecutor Sri K.Surender for respondent/complainant and perused the impugned order and the grounds urged in the petition.

Taking consideration of the fact that had the petitioner could present the petition, could be recalled as also concurrent observation by saying he is purposefully evading the appearance before the Court by filing one after other only adjournment applications without presence and there are no grounds to recall the warrant thereby from dismissal of the adjournment application in issuing NBW, liberty is given to the petitioners by disposal of the petition to file application for recall with the personal appearance

for the Court to recall the same subject to imposing penalty on the earlier bond for his failure to attend.

With the above observation, the criminal petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

01.02.2019
kvrn

Dr. B. SIVA SANKARA RAO, J