

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.10357 of 2015

ORDER:

This petition is filed by the petitioner-accused under Section 438 Cr.P.C. seeking to grant anticipatory bail to him in C.C.No.1868 of 2008 on the file of I Additional Chief Metropolitan Magistrate, Visakhapatnam, registered for the offence punishable under Section 498-A and Sections 3 and 4 of the Dowry Prohibition Act.

Heard and perused the material available on record.

Learned Counsel for the petitioner submitted that the petitioner is a resident of Chennai and in this case no summons were served on the petitioner and the entire investigation was completed in his absence and the charge sheet was also filed and NBWs were issued against him.

Considering the facts and circumstances of the case and since the present complaint has arisen out of a matrimonial dispute, this Court is inclined to pass the following order:

The petitioner-accused is directed to surrender before the Magistrate concerned on or before 30th October, 2015 and move an application before the Magistrate concerned to recall NBWs issued against him. Till then, the execution of NBWs issued against the petitioner is suspended. On such surrender and on such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioner and enlarge him on bail on condition of his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the Magistrate concerned. Thereafter, the petitioner shall appear before the trial Court as and when required.

Accordingly, the Criminal Petition is disposed of.

RAJA ELANGO, J

13th October 2015

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HONOURABLE SRI JUSTICE RAJA ELANGO

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