

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.13024 of 2015

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ORDER :

The petitioners, who are accused Nos.1, 2 and 3 in Crime No.55 of 2015 of Burjavalasa Police Station, Vizianagaram District and numbered as P.R.C.No.10 of 2015 on the file of Additional Judicial First Class Magistrate, Gajapathinagaram, registered for the offences punishable under Sections 376, 417, 420 read with Section 34 I.P.C. and Section 4 of Dowry Prohibition Act, filed this petition under Section 438 of Cr.P.C., seeking anticipatory bail.

The petitioners are apprehending arrest, since the trial Court issued N.B.Ws. against petitioner No.1 – accused No.1 and summons against petitioner Nos.2 and 3 – accused Nos.2 and 3.

Investigation in this case had been completed and charge sheet was also filed. The petitioners informed that they are ready to face the trial.

Considering the facts and circumstances of the case, petitioner No.1-accused No.1 is directed to surrender before the Magistrate concerned and file petition to recall N.B.Ws. issued against him. Upon filing of such petition, the trial Court is directed to recall the warrants, pending against the petitioner No.1 – accused No.1, on the same day on his executing a

personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with one surety for a like sum to the satisfaction of the said Magistrate. Further, petitioner Nos.2 and 3 – accused Nos.2 and 3 are directed to appear before the Magistrate concerned and file a petition to recall summons issued against them. Upon filing of such petition, the trial Court is directed to recall the summons issued against petitioner Nos.2 and 3 – accused Nos.2 and 3 on each of them executing a personal bond for a sum of Rs.5,000/- with one surety for a like sum each to the satisfaction of the said Magistrate for their further appearance. Further, petitioners-accused Nos.1, 2 and 3 are directed to report before the trial Court on all hearing days.

With the above observation, the Criminal Petition is disposed of.

JUSTICE RAJA ELANGO

15th December, 2015

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