

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2055 of 2016

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ORDER:
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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners seeking to quash the P.R.C. No.89 of 2015 on the file of the Judicial First Class Magistrate, Kurnool, Kurnool District, for the offence under Section 341 read with Section 34 I.P.C. and Section 3 (1)(x) of S.Cs. & S.Ts. (PoA) Act, 1989.

Heard the learned counsel for the petitioners/accused and the learned Public Prosecutor and perused the material available on record.

After arguing for some time, the learned counsel for petitioners confined his argument only in connection with pendency of N.B.Ws. against petitioners herein and submitted that petitioners/accused are ready to surrender before the Court concerned and file a petition to recall the N.B.W. pending against them and prayed a direction to the trial Court to recall the warrant. The learned counsel for the petitioners/accused further submitted that the petitioners/accused are ready to appear before the trial Court on each and every hearing.

Considering the facts and circumstances of the case

and also in view of the submissions made by the learned counsel for the petitioners, this Court is of the view that an opportunity can be given to the petitioners/accused to appear before the Court concerned to face the trial.

Accordingly, the petitioners/accused are directed to surrender before the Magistrate concerned and file an application to recall the NBW pending against them. On such surrender and filing of the application, the trial Court is directed to recall the warrants, pending against the petitioners/accused, on the same day on each of them executing a personal bond for a sum of Rs.1,000/- (Rupees One Thousand only) with one surety for a like sum each to the satisfaction of the said Magistrate and also commit the case to the Court of sessions.

With the above observation, the Criminal Petition is disposed of. Miscellaneous Petitions filed in this Criminal Petition, if any, shall stand closed.

RAJA ELANGO, J.

19-02-2016

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