

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.46342 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Certiorari* calling for records pertaining to PRC No.27 of 2013 (Cr.No.61/2016 of K.V.Palli Police Station) and quash the same against the petitioner/A8 only as being illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

When the matter is taken up for hearing, the learned counsel for the petitioner confined his argument only to the extent of recalling the N.B.W. and submitted that the petitioner is ready to surrender before the Court concerned and file a petition to recall the N.B.W. pending against him and prayed a direction to the trial Court to recall the warrant.

Considering the facts and circumstances of the case and also in view of the submissions made by the learned counsel for the petitioner, the writ petition is disposed of directing the petitioner to surrender before the Magistrate concerned and file an application to recall the NBW pending against him. On such surrender and filing of the application, the trial Court is directed to recall the warrant pending against the petitioner 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. No Costs.

Consequently, miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

30th December, 2016
skmr

