

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3567 of 2016

ORDER:

This Criminal Petition, under Section 382 of the Criminal Procedure Code, is preferred by the petitioner – accused, seeking a direction to the VIII Metropolitan Magistrate, Hyderabad to furnish certified copies of the documents sought for by the petitioner.

Heard and perused the material available on record.

The petitioner is the accused in CC No.506 of 2012 on the file of VII Metropolitan Magistrate, Hyderabad, for the offence punishable under Section 138 of the Negotiable Instruments Act.

It is submitted by the learned counsel for the petitioner that the petitioner filed a copy application before the Court below to furnish certified copies of the complaint, docket order dated 19.05.2014 and 14.05.2014 and also the exhibits, but the Court below returned the said copy application on 22.01.2016 by endorsing that as per record NBW pending against the accused from 19.05.2014 to till this day, and after recall of NBW, the C.A. may be filed. Hence, the C.A. may be returned, and hence he requested to recall the NBW pending against the petitioner.

Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and having perused the material available on record, this Court is of the view that this criminal petition can be disposed of with the following directions:

The petitioner- accused is directed to appear before the Court concerned and file a petition to recall the NBW Pending against him and on such petition being filed, the Court concerned is directed to recall the NBW on the same day on his execution of bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for a like sum and further the petitioner is directed to appear before the trial Court regularly.

Accordingly, the Criminal Petition is disposed of. Consequently, the Miscellaneous Petitions pending, if any, shall stand closed.

March 15, 2016.
KTL

RAJA ELANGO, J