

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4241 of 2016

ORDER:

This Criminal Petition, under Section 482 Cr.P.C is filed by the petitioner – accused No.3 seeking to quash the proceedings against him in CC No.214 of 2014 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offences punishable under Sections 498 and 406 IPC and 4 & 6 of the Dowry Prohibition Act. After duly enquiring into the complaint filed by the de facto complainant, the police filed charge sheet. A reading of the charge sheet also reveals some allegations against the petitioner, truth of which can be decided after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

At this stage, learned counsel for the petitioner submitted that since the petitioner is in abroad, he was shown as absconding in the charge sheet, and hence, NBW was issued and consequently, look out notices are also issued against him and now he intends to come to India and therefore, the NBW and also the look out notice, if any, may be recalled and that the petitioner is ready to face the trial and he will not flee from the hands of justice.

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 No.3 is directed to approach the Court concerned on or before 15.05.2016 and file a petition to recall the NBW issued against him and on such petition being filed, the Court concerned is directed to recall the NBW issued against him and also the consequential look out notice, if any issued, on the same day on his execution of a personal 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. Till then, the operation of the look out notice issued, if any, is suspended.

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

RAJA ELANGO, J

March 29, 2016.
KTL