

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6181 OF 2016

ORDER:

This Criminal Petition is filed by the petitioners-accused Nos.1 and 2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in STC No.6 of 2013 on the file of XIV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

Heard and perused the material available on record.

The petitioners are alleged to have contravened the mandatory fire safety provisions and therefore, they are liable to be prosecuted for the offence punishable under Sections 13, 19 and 22 of A.P. Fire Service Act, 1999 and Rules 15 and 27 of A.P. Fire and Emergency Operations and Levy of Fee Rules, 2006.

Considering the facts and circumstances of the case and the nature of the offence, this Court is not inclined to quash the proceedings in the above case.

At this stage, the learned Counsel for the petitioners submitted that NBWs were issued against the petitioners and therefore, the same may be recalled and the presence of the petitioners before the trial Court may be dispensed with.

In view of the above submission, the petitioners-accused Nos.1 and 2 are directed to surrender before the trial Court and move an application to recall NBWs issued against them. On such surrender and on such application being filed, the trial Court is directed to recall NBWs issued against the petitioners and release them on each of them executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum each to the satisfaction of the trial Court. Further, the petitioners are directed to file an application before the trial Court seeking to dispense with their presence in the above case. If such application is filed, the trial Court is directed to consider the same in accordance with law since the offences are technical in nature.

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

JUSTICE RAJA ELANGO

Date : 25.4.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 25.4.2016

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