

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39341 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the issuance of Non Bailable Warrants (NBWs) against the petitioner after pronouncement of Judgment in CrI.A.No.856 of 2015 on the file of the Court of the Special Judge for Trial of Offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad, as illegal and arbitrary, and consequently to recall the NBWs issued against the petitioner.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner is not in a position to prefer revision case against the order of conviction confirmed by the appellate Court, since the NBWs are pending against the petitioner. Hence, he confines his argument with regard to recall of the NBWs.

Considering the facts and circumstances of the case and also as the offence is under Section 338 IPC, the Non Bailable Warrants issued against the petitioner is hereby recalled. The petitioner is directed to prefer revision case on or before 30.12.2016 and seek appropriate relief before the Court concerned.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

15.11.2016
pln