

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43344 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a direction to respondents 2 & 3 not to execute the N.B.Ws. issued against the petitioner by the XXIII Special Magistrate, Hyderabad in C.C.No.70 of 2016 till the disposal of application filed by him under Section 317 of Cr.P.C.

Heard and perused the material available on record.

The main grievance of the petitioner is that in view of pendency of N.B.Ws. issued by the XXIII Special Magistrate, Hyderabad in C.C.No.70 of 2016 dated 19.9.2016, the 3rd respondent is trying to apprehend the petitioner.

While exercising the powers under Article 226 of Constitution of India, this Court is not inclined to interfere with the impugned proceedings. However, since it is the apprehension of the petitioner that he may be arrested in execution of N.B.Ws. pending against him, he is directed to appear before the XXIII Special Magistrate, Hyderabad and file an application in C.C.No.70 of 2016 to recall the warrants and the Court shall consider the same and recall the warrants on condition of petitioner executing a personal bond for a sum of Rs.10,000/- with one surety with an undertaking to appear on further dates before the Court regularly.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

14.12.2016.
Tsr

