

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40385 of 2016

ORDER:

The present writ petition is filed seeking to declare and set aside the NBWs issued against the petitioner – Accused No.8 in CC No.80 of 2015, on the file of the Judicial Magistrate of First Class, Sullurupeta, Nellore District, A.P., arising out of Cr.No.125 of 2011 of Tada Police Station, Nellore, registered for the offences under Sections 468, 471 and 474 IPC, and consequently, recall the NBWs and also to dispense with the presence of the petitioner in CC No.80 of 2015.

The case in brief is that while performing vehicular traffic check at integrated check post, BV Palem, the 2nd respondent intercepted three vehicles in which paddy bags are being transported, and when he asked to show the receipts, some suspicious government receipts were shown. Therefore, the 2nd respondent seized the vehicles and arrested A1 to A3. While filing the charge sheet before the Court concerned, the petitioner was shown as absconded, and hence, NBWs are issued against her.

After arguing for sometime, learned counsel for the petitioner confined his arguments only to the extent of recalling the NBWs, pending against the petitioner.

Considering the submissions of the learned counsel for the petitioner, without going into the merits of the case, this Court is inclined to pass the following order:

The petitioner is directed to surrender before the Court concerned on or before 15-12-2016 and file an application for recalling the NBWs pending against her. On such application being filed, the

Court concerned is directed to recall the warrants pending against petitioner on the same day, on petitioner executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 22, 2016.
KTL

