

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43814 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in filing C.C.No.271 of 2016 on the file of Additional Judicial Magistrate of First Class, Mahabubabad District against the petitioners, as arbitrary and illegal and quash the same.

2. Heard and perused the material available on record.

3. The offences alleged against the petitioner are punishable under Sections 447 and 427 IPC and Section 3 of the DPP Act, 1984.

4. After arguing for some time, learned counsel for the petitioner submitted before this Court that the petitioner is ready to face the trial and he will not flee from the hands of justice and hence, the N.B.W pending against the petitioner may be recalled.

5. Having heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and having perused the material available on record, this Court is of the view that this Writ Petition can be disposed of with the following directions:

The petitioner is directed to approach the Court concerned on or before 15.01.2017 and file a petition to recall the warrant issued against him and on such petition being filed, the Court concerned shall recall the warrant on the same day on his execution of a bond for a sum of Rs.5,000/- (Rupees five thousand

only) with one surety for a like sum and further, the petitioner shall appear before the trial Court regularly.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

16.12.2016
YVL



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Date: 16.12.2016

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