

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.39355 OF 2016**

**ORDER:**

The writ petition is filed by the petitioner seeking a writ of certiorari to call for the records relating to order, dated 05.02.2016 in C.C.No.313 of 2015 (issuance of NBW) on the file of the learned Additional Judicial First Class Magistrate, Tiruvuru, Krishna District, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner could not appear before the Court below in C.C.No.313 of 2015 as a very close relative of the petitioner expired on that day and that the absence of the petitioner is neither wilful nor wanton. Hence, he prays this Court to recall the Non Bailable Warrants (NBWs) against the petitioner.

Considering the facts and circumstances of the case, the petitioner is directed to surrender before the Court below and file an application seeking to recall the NBWs issued against the petitioner on or before 09.12.2016 and on such application being filed, the Court below is directed to recall the NBWs issued against the petitioner on the same day on executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance. The petitioner is directed to appear before the Court below regularly.

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

**JUSTICE RAJA ELANGO**

15.11.2016  
pln