

HON'BLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.11920 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., questioning the order dated 20.06.2016, passed by the learned Additional Judicial Magistrate of First Class, Sangareddy, in C.C.No.47 of 2016, issuing Non-bailable Warrants against petitioners/A1 and A2.

Heard the learned counsel for petitioners and the learned Additional Public Prosecutor appearing for the State.

Specific allegations were made against the petitioners in the complaint. The truth or otherwise of the allegations can only be decided during the course of trial. I see no grounds to interdict the proceedings at this stage.

The learned counsel for petitioners submitted that on the day when the warrants were issued, Advocates were on boycott and as such, there was no representation on their behalf, which resulted in issuance of Non-bailable Warrants, and due to continuation of boycott by Advocates, petition for recall of Warrants could not be filed.

In the facts and circumstances of the case and in view of the submissions of the learned counsel for petitioners and the learned Additional Public Prosecutor, and having perused the material available on record, the criminal petition is disposed of directing the petitioners/A1 and A2 to approach the trial Court and file a petition under Section 70(2) of Cr.P.C. to recall the

warrants issued against them, within a period of one month from today and on such petition being filed, the trial Court shall dispose of the said petition on the same day on which it is filed on usual terms, in accordance with law. Till the petition is filed to recall or for a period of one month from today, whichever is earlier, the petitioners shall not be arrested in execution of warrants in the present case.

Miscellaneous petitions, if any, pending, shall stand closed.

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M.S.K.JAISWAL, J

16th August 2016

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ajr