

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42997 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in C.C.No.433 of 2016 on the file of the III Metropolitan Magistrate, Visakhapatnam.

2. Heard and perused the material available on record.

3. The petitioners are alleged to have committed the offences punishable under Sections 494, 494 r/w 149 and 497 IPC. Considering the facts and circumstances of the case and the stage of the proceedings against the petitioners, this Court is not inclined to interfere with the same. At this stage, the learned Counsel for the petitioners submitted that NBWs were issued against the petitioners and the same may be recalled.

4. In view of the above submission, this Court is inclined to pass the following order:

“The petitioners are directed to surrender before the III Metropolitan Magistrate, Visakhapatnam and file an application seeking to recall NBWs issued against them. On such surrender and on such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioners on the same day and release them on each of them executing a personal bond for a sum of Rs.1,000/- (Rupees One Thousand only) with one surety each for the like sum each to the satisfaction of the learned Magistrate.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 9th December, 2016
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