

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.5123 of 2016

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioner-accused seeking to quash the proceeding against them in CC No.274 of 2014 on the file of the Additional Judicial Magistrate of First Class, Avanigadda, for the offences punishable under Sections 420, 447, 323 and 506 IPC.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner is regularly attending the Court below and that on 31.03.2016 he did not attend the Court due to ill-health and he filed an application under Section 317 Cr.P.C., along with medical certificate but, the learned Magistrate dismissed the said application and issued NBW against the petitioner vide order impugned and that the NBW may be recalled.

Having heard the learned counsel for the petitioners and the learned Additional Public Prosecutor and having perused the material available on record, this Court is of the view that this petition can be disposed of with the following directions:

The petitioner-accused is directed to appear before the Court concerned and file petitions to recall the warrant pending against him and on such petitions being filed, the Court concerned is directed to recall the warrant on the same day on his executing personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for a like sum. And the petitioner is also directed to attend before the trial Court regularly.

Accordingly, the Criminal Petition is disposed of.
Miscellaneous Petitions pending if any, shall stand closed.

RAJA ELANGO, J

April 12, 2016.

KTL