

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40702 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a direction to the respondents to recall the non-bailable warrant pending against the petitioner/accused No.13 in C.C.No.73 of 2013 on the file of the Judicial Magistrate of First Class at Nandalur, Y.S.R. Kadapa District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Sections 147, 148, 353, 332 and 427 read with 149 I.P.C. and Section 7(1) of the Criminal Law Amendment Act.
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/accused No.13 is directed to approach the Court concerned 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

24.11.2016
AMD



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Date: 24.11.2016

AMD