

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36713 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari to call for the records pertaining to P.R.C.No.23 of 2015 on the file of the Court of the Hon'ble XX Metropolitan Magistrate, Malkajgiri, Cyberabad, and to quash the same as illegal and arbitrary.

Heard and perused the material.

Learned counsel for the petitioner submits that even prior to filing of the charge sheet in crime No.276 of 2002, the third respondent, who filed the complaint against the petitioner herein for the offence under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, wrote a letter to the authorities concerned withdrawing her complaint against the petitioner. Even after receipt of the said letter, the second respondent filed charge sheet before the Court concerned. Learned counsel further submits that in view of the letter of the third respondent in withdrawing her complaint against the petitioner, the petitioner is not aware of the pendency of the case in P.R.C.No.23 of 2015 and as such, he could not attend the Court, but the Court below issued Non Bailable Warrant (NBWs) against the petitioner herein for his absence.

Considering the facts and circumstances of the case, the Non Bailable Warrants issued against the petitioner is hereby recalled. The petitioner is directed to appear before the Court concerned in P.R.C.No.23 of 2015 on the date of committal of the case to the Court of Sessions and to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for his future appearance before the Court concerned in P.R.C.No.23 of 2015 and also the Sessions Court concerned.

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

JUSTICE RAJA ELANGO

10.11.2016
pln