

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6940 OF 2016

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioners-accused Nos.1 to 5 seeking to quash the proceeding against them in C.C.No.409 of 2010, on the file of the Additional Judicial Magistrate of First Class, Narsipatnam, Visakhapatnam District, for the offences punishable under Sections 448, 341, 379, 506 read with 34 IPC.

Learned counsel for the petitioners submitted that the petitioner is regularly attending the Court below and that on 22.03.2016 the matter was posted before the Court below, prior to that date, the petitioners appeared before the Court and wrongly noted the date as 23.03.2016, due to which, the Court below issued NBWs against the petitioners vide order impugned and the NBWs 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 petitioners-accused Nos.1 to 5 are directed to appear before the Court concerned and file petitions to recall the warrants pending against them and on such petitions being filed, the Court concerned is directed to recall the warrants on the same day on their executing personal bond for a sum of Rs.3,000/- (Rupees three thousand only) each with one surety for a like sum and the petitioners are also directed to attend before the trial Court regularly.

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

JUSTICE RAJA ELANGO

Date : 29.04.2016

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DATED 29.4.2016

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