

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4068 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. challenging the order dated 11-04-2012 in C.C.No.796 of 2014 passed by the II Additional Judicial First Class Magistrate at Jagitial issuing NBW against the petitioner/A-1.

Heard the learned counsel for the petitioners and the learned Public Prosecutor.

Admittedly, a private complaint was filed by the de facto complainant before the competent Court and the same was referred under Section 156 (3) Cr.P.C. to the concerned police for investigation and report. The concerned police after completion of investigation filed the charge sheet for the offence punishable under Section 498 A IPC. The learned II Additional Judicial First Class Magistrate, Jagitial, on appearance of the other accused in the case, furnished copies of documents for examination. Since the petitioner/A-1 is absconding, NBW was issued against him. Aggrieved by the said issuance of NBW, the present criminal petition is filed.

Having regard to the facts and circumstances of the case and in view of the fact that NBW was issued against the petitioner/A-1 as he is absconding, the petitioner/A-1 is directed to surrender before the learned II Additional Judicial Magistrate of First Class, Jagitial and file an application under Section 70 (2) Cr.P.C. seeking to recall NBW issued against

him and on filing of such application, the learned Magistrate shall consider the same on the same day and recall NBW issued against the petitioner/A-1 on his execution of a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with one surety and on giving an undertaking to attend before the Court regularly on all the dates of hearing.

Subject to the above direction, the criminal petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 28-03-2016

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