

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39335 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in registering the complaint and filing charge sheet against the petitioner in C.C.No.326 of 2014 on the file of the III Metropolitan Magistrate, L.B.Nagar, Ranga Reddy District, for the alleged offences under Sections 447, 427 and 379 IPC and Section 5 of the Land Grabbing Prohibition Act as illegal and arbitrary, and consequently to set aside the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the name of the petitioner is not mentioned in F.I.R. in the complaint lodged by the third respondent and as such, the petitioner is not aware of the registration of crime. However, a charge sheet was filed against the petitioner stating that the petitioner was absconding and as such, the Court below issued Non Bailable Warrants (NBWs) against the petitioner.

Considering the facts and circumstances of the case, the petitioner is directed to surrender before the Court below and file an application seeking to recall the NBWs issued against the petitioner on or before 09.12.2016 and on such application being filed, the Court below is directed to recall the NBWs issued against the petitioner on the same day on executing of a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance. The petitioner is directed to appear before the Court below regularly.

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

JUSTICE RAJA ELANGO

15.11.2016
pln

