

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2172 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in C.C.No.204 of 2012 on the file of the Judicial First Class Magistrate, Palamaner, Chittoor District, arising out of offences under Section 420 IPC.

Heard and perused the material available on record.

This Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. The contentions raised by the learned counsel for the petitioners are to be tried by the Court below and hence, this Court is not inclined to interfere with the proceedings against the petitioner. At this stage, learned counsel for the petitioner submits that the Court below issued Non Bailable Warrants (NBWs) against the petitioner and as such, prays this Court to recall NBWs.

The petitioner is directed to appear before the Court below and file an application for recalling NBWs issued against him, and on filing of such application, the Court below is directed to recall the NBWs issued against the petitioner on the same day on condition of his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the said Magistrate. Further, the petitioner is directed to appear before the Court below on all hearing dates.

With the above directions, the Criminal Petition is accordingly dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

23.02.2016

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