

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42612 of 2016

ORDER:

This writ petition is filed by the petitioner – Accused No.6 to call for the records, relating to PRC No.41 of 2013, on the file of the Judicial Magistrate of First Class, Manuguru, and quash the same.

Heard and perused the material available on record.

The petitioner is arrayed as Accused No.6 in Crime No.12 of 2013 on the file of Edulla Bayyaram Police Station, Khammam District, for the offences under Sections 448, 385 and 392 IPC. After completion of investigation, the police filed charge sheet before the Court concerned, which was numbered as PRC No.41 of 2013 on the file of the Judicial Magistrate of First Class, Manuguru. After perusing the record, this Court is not inclined to grant the relief sought for by the petitioner.

At this stage, learned counsel for the petitioner submitted that NBWs were issued against the petitioner by the Court below, since he was shown as absconding while filing charge sheet, and therefore, he requested to recall the NBWs pending against the petitioner.

Having heard the learned counsel for the petitioner and the learned counsel Assistant Government Pleader for Home, and having perused the material available on record, this Court is of the view that the writ petition can be disposed of with the following directions:

The petitioner-accused No.6 is directed to appear before the Court concerned and file a petition to recall the warrant issued against him, and on such petition being filed, the Court below is directed to recall the warrant pending against the petitioner, on the same day on his

execution of bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum. Further the petitioner is directed to appear before the trial Court regularly.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

December 07, 2016.
KTL

