

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6396 OF 2016

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ORDER:

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This Criminal Petition is filed by the accused seeking to quash the proceedings in C.C.No.60 of 2016 on the file of I Additional Judicial First Class Magistrate at Nizamabad for the offence under Section 138 of Negotiable Instruments Act.

Heard and perused the material on record.

After arguing for some time, since this Court is not inclined to quash the impugned proceedings at the threshold, the learned counsel for the petitioner submitted that Non-Bailable Warrants are pending against the petitioner and prayed to recall the warrants issued by the trial Court against the petitioner.

In the circumstances, the petitioner is directed to surrender before the Court below and file an application seeking to recall the warrant. On filing such application, the Court below is directed to recall the Warrant issued against the petitioner on the same day on execution of a bond by the petitioner for a sum of Rs.1,000/- with one surety. Thereafter the presence of the petitioner before the trial Court is dispensed with except on the dates so specifically the trial Court insists for his appearance. The petitioner is directed to be represented by a counsel on all hearing dates.

The Criminal Petition is accordingly disposed of.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

26.04.2016
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