

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37922 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the non-bailable warrants, dated 29.9.2016, issued in C.C.No.919 of 2015 by the Judicial Magistrate of First Class, Nandyal, Kurnool District as illegal and arbitrary and consequently, to quash the same.

2. Heard and perused the material available on record.

3. The offence alleged against the petitioner is punishable under Section 498-A I.P.C.

4. Considering the facts and circumstances of the case, this Court is of the view that the writ petition is not maintainable and the same is liable to be dismissed.

5. At this stage, learned counsel for the petitioner submitted before this Court that the petitioner is ready to face the trial and he will not flee from the hands of justice and hence, the NBWs pending against the petitioner may be recalled.

6. Considering the submission of the learned counsel for the petitioner, the petitioner is directed to approach the Court concerned and file a petition to recall the warrant issued against him and on such petition being filed, the Court concerned is directed to recall the warrant on the same day on his execution of a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for a like sum. The petitioner is directed to appear before the trial Court regularly.

7. With the above direction, the Writ Petition is dismissed as not maintainable. There shall be no order as to costs.

8. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

4.11.2016
AMD



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Date: 4.11.2016

AMD