

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION NO.2114 of 2016

ORDER:

This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the docket order dated 29.1.2016 passed in C.C.No.86 of 2013 by the Judicial Magistrate of First Class, Nandyal.

The 2nd respondent-complainant filed the complaint in the above C.C. against the petitioner for the offence punishable under Sections 138 and 142 of the Negotiable Instruments Act. While the above C.C. has been coming up for examination of the petitioner-accused under Section 313 Cr.P.C., the petitioner was absent, and a petition was filed on his behalf to dispense with his presence. The learned Magistrate dismissed the said petition and issued NBWs against the petitioner. Aggrieved by the same, the petitioner filed this petition.

The learned Counsel for the petitioner submitted that the petitioner undertook to appear before the trial Court regularly and therefore, the warrants issued against him may be recalled.

Considering the facts and circumstances of the case, the petitioner is directed to file an application before the learned Magistrate seeking to recall NBWs issued against him. On such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioner on his executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the learned Magistrate.

With the above direction, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, stand closed.

Justice Raja Elango

Dated: 19.2.2016

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