

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5505 OF 2016

ORDER:

This petition is filed by the petitioner-complainant under Section 482 Cr.P.C. seeking a direction to the Special Mobile Judicial Magistrate of First Class, Nellore to dispose of C.F.No.1615 of 2013 in Crime No.285 of 2010.

Heard and perused the material available on record.

It is stated that the accused in the above crime took the video of the wife of the petitioner while she was changing her dress in bed room, and started blackmailing her. On the complaint lodged by the petitioner, a crime was registered against the accused for the offences under Sections 384, 509, 506 IPC and Section 6 of Indecent Representation of Women (Prohibition) Act r/w 34 IPC. After completion of the investigation, the police deleted the name of the A2. The Court below took cognizance of the case against A1 and numbered it as C.C.No.176 of 2011. Aggrieved by the same, the petitioner filed a protest petition viz., CF No.1615 of 2013 and the same is pending. Even though the petitioner requested for disposal of the protest petition, the Court below has given the date for evidence of P.W.1. As the petitioner did not attend before the Court below on the date so fixed, the Court below issued NBWs issued against him.

Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

“The petitioner is directed to surrender before the Court below and move an application seeking to recall NBWs issued against him. On such application being filed, the Court below is directed to consider the same and recall NBWs issued against the petitioner on the same day and release him on his executing a personal bond for a sum of Rs.1,000/- (Rupees One Thousand only) with one surety for

the like sum to the satisfaction of the Court below. The petitioner is directed to appear before the Court below on all hearing dates.”

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.4.2016

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DATED 19.4.2016

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