

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4473 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/A-1 seeking to quash the proceedings in C.C.No.534 of 2015 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad at Nampally.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Section 498-A I.P.C. and Section 4 of the Dowry Prohibition Act, 1961.
4. After duly enquiring into the complaint filed by the *de facto* complainant, the police filed charge sheet. A reading of the charge sheet also reveals some allegations against the petitioner, truth of which can be decided after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.
5. At this stage, learned counsel for the petitioner submitted that since the petitioner is in abroad, he was shown as absconding in the charge sheet and hence, N.B.W. was issued and consequently, look out notice was also issued against him; that now, the petitioner intends to come to India and therefore, the N.B.W. and also the look out notice may be recalled and that the petitioner is ready to face the trial and he will not flee from the hands of justice.
6. Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and having perused the material available on record, this Court is of the view that this Criminal Petition can be disposed of with the following directions:

The petitioner/A-1 is directed to approach the Court concerned on his arrival to India and file a petition to recall the N.B.W. issued against him and on such petition being filed, the Court concerned is directed to recall the N.B.W. issued against him and also the consequential look out notice, if any, on the same day on his execution of a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum and further, the petitioner is directed to appear before the trial Court regularly. Till then, the operation of the look out notice, if any, is suspended.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

31.3.2016
AMD

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AMD