

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44700 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus to declare the charge sheet in C.C.No.196 of 2009 on the file of IV Additional Chief Metropolitan Magistrate, Vijayawada against the petitioner as arbitrary and illegal and to quash the same.

Heard and perused the material available on record.

The main grievance of the petitioner is that in view of pendency of N.B.Ws. issued by the IV Additional Chief Metropolitan Magistrate, Vijayawada in C.C.No.196 of 2009, the 4th respondent is trying to apprehend the petitioner.

While exercising the powers under Article 226 of Constitution of India, this Court is not inclined to interfere with the impugned proceedings. However, since it is the apprehension of the petitioner that he may be arrested in execution of N.B.Ws. pending against him, he is directed to appear before the IV Additional Chief Metropolitan Magistrate, Vijayawada and file an application in C.C.No.196 of 2009 to recall the warrants and the Court shall consider the same and recall the warrants on condition of petitioner executing a personal bond for a sum of Rs.10,000/- with one surety with an undertaking to appear on further dates before the Court regularly.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

21.12.2016.

Tsr

