

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6104 of 2016

ORDER

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The present criminal petition under Section 482 Cr.P.C., is filed by the petitioners/A2 and A3 seeking to quash the proceedings in C.C.No.1104 of 2012 on the file of XIV Additional Chief Metropolitan Magistrate, Hyderabad, registered for the offences punishable under Sections 420, 468, 471 & 511 IPC, against them.

2. Heard and perused the material on record.

3. It is alleged in the charge sheet that the de facto complainant being the Assistant General Manager of Andhra Bank, Somajiguda Branch, opened an account on behalf of A1 in their Bank and thereafter, all the accused produced fake papers and cheated the Bank for a sum of Rs.96 lakhs. Based on the complaint, a case in Cr.No.1036 of 2009 u/s.468, 471, 420 r/w 511 IPC was registered against A1 to A3.

4. Since the matter arising out of financial transactions, it has to be decided after full fledged trial. Therefore, this Court is not inclined to interfere with the impugned proceedings.

5. At this stage, learned counsel for the petitioners/A2 and A3 confined his argument to the extent that the NBWs pending against the petitioners may be recalled.

6. As the petitioners expressed their willingness to appear

before the trial Court regularly, the NBWs issued against them can be recalled. Accordingly, the Criminal Petition is disposed of, with the following direction;

The petitioners/A2 and A3 are directed to surrender before the trial Court on or before 15.06.2016 and make an application for recalling of NBWs pending against them. On filing such an application, the trial Court shall recall the warrant on the petitioners executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety for a like sum each to its satisfaction, failing which, the trial Court is at liberty to take appropriate steps. Till such time, the warrants issued against the petitioners are hereby suspended. The petitioners herein are further directed to appear before the trial Court on each and every date of adjournment.

Miscellaneous Petitions, if any, pending in this petition shall stand closed.

JUSTICE RAJA ELANGO

25th April, 2016

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