

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.45570 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Certiorari* declaring the warrant issued against the petitioner at the instance of respondent No.3 and taking coercive measures to apprehend the petitioner in Cr.No.34 of 2013 of respondent No.3 office in C.C.No.322 of 2013 on the file of the XIII Additional Chief Metropolitan Magistrate, Hyderabad as illegal and arbitrary and recall the warrant.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

The learned counsel for the petitioner submitted that the petitioner is ready to surrender before the Court concerned and file a petition to recall the N.B.W. pending against him and prayed a direction to the trial Court to recall the warrant and he also prayed to suspend the Lookout Circular issued against the petitioner.

Considering the facts and circumstances of the case and also in view of the submissions made by the learned counsel for the petitioner, the writ petition is disposed of directing the petitioner to surrender before the Magistrate concerned and file an application to recall the NBW pending against him. On such surrender and filing of the application, the trial Court is directed to recall the warrant pending against the petitioner on the same day on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten

Thousand Only) with two sureties for a like sum each to the satisfaction of the said Magistrate. Further, the Lookout Circular issued against the petitioner is suspended. No Costs.

Consequently, miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

27th December, 2016
skmr

