

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4257 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 by the petitioner/A-2 seeking to quash the proceedings in C.C.No.550 of 2012 on the file of the XVII Additional Chief Metropolitan Magistrate, Hyderabad.

2. Heard and perused the material available on record.
3. The offence alleged against the petitioner is punishable under Section 382 I.P.C.
4. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the police filed charge sheet against the petitioner. A reading of the charge sheet also reveals some allegations against the petitioner, truth of which can be ascertained only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.
5. Learned counsel for the petitioner submitted before this Court that a non-bailable warrant is pending against the petitioner and the same may be recalled; that the petitioner is ready to face the trial and that he will not flee from the hands of justice.
6. Having heard the learned counsel for the petitioner and the learned 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-2 is directed to approach the Court concerned and file a petition to recall the warrant issued against him and on such petition being filed, the Court concerned is directed to recall the

warrant on the same day on his execution of a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for a like sum and further, the petitioner is directed to appear before the trial Court regularly.

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

JUSTICE RAJA ELANGO

29.3.2016

AMD

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AMD