

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Crl.P.No.4599 of 2016

ORDER

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This petition under Section 482 Cr.P.C. is filed by the petitioner/accused seeking to quash the proceedings in C.C.No.450 of 2011 on the file of Additional Judicial First Class Magistrate, Avanigadda, Krishna District, registered for the offences punishable under Sections 447, 341 and 506 (2) IPC, against him.

2. It is alleged in the charge sheet that the accused and LW2-Laxman were the students of Sri Sun Flower College of Engineering & Technology, Lankappali, and the de facto complainant was working as Physical Director. Due to disputes between the accused and L.W.2 with regard to caste community, on 07.09.2011, the accused came to the college on his motorcycle at high speed, trespassed into the premises and threatened L.W.2 with dire consequences by abusing him and when the de facto complainant was enquiring about the said incident, the accused came to him and threatened him with dire consequences. Based on the complaint, a case in Cr.No.66 of 2011 was registered against the accused for the offences punishable under Sections 447, 341, 506(2) IPC.

3. Heard and perused the material on record.

4. In view of the serious allegations made against the accused and the nature of offences, this Court is not inclined to interfere

with the impugned proceedings. However, learned counsel for the petitioner/accused confined his argument that the NBW pending against the petitioner may be recalled. Since the petitioner expressed his willingness to appear before the Court below regularly, the NBW issued against him can be recalled.

5. Hence, the Criminal Petition is disposed of, with the following direction;

The petitioner/accused is directed to surrender before the Court below on or before 20.04.2016 and make an application for recalling of NBW pending against him. On filing such an application, the trial Court shall recall the warrant on the petitioner executing a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for a like sum to its satisfaction, failing which, the Court below is at liberty to take appropriate steps. Till such time, the warrant issued against the petitioner is hereby suspended. The petitioner herein is further directed to appear before the Court below on each and every date of adjournment.

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

JUSTICE RAJA ELANGO

1st April, 2016

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