

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.223 of 2017

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 *Mandamus* by recalling the Non-Bailable Warrant pending against petitioners – accused Nos.7 and 8 in C.C.No.128 of 2012 on the file of the III Additional Chief Metropolitan Magistrate, Vijayawada.

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

The learned counsel for the petitioners submitted that the petitioners are ready to surrender before the Court concerned and file a petition to recall the N.B.W. pending against them and prayed a direction to the trial Court to recall the warrants.

Considering the facts and circumstances of the case and also in view of the submissions made by the learned counsel for the petitioners, the writ petition is disposed of directing the petitioners to surrender before the Magistrate concerned and file an application to recall the NBWs pending against them. On such surrender and filing of the application, the trial Court is directed to recall the warrants pending against petitioners on the same day on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with one surety for a like sum each to the satisfaction of the said Magistrate. No Costs.

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

JUSTICE RAJA ELANGO

04th January, 2017
skmr

