

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6955 of 2017

ORDER:

Heard the learned counsel for the petitioners/ A.1 and A.2 of C.C.No.790 of 2011 on the file of the learned Judl.Magistrate of First class, Nandyal and also the learned Public Prosecutor representing the State and perused the grounds urged in the petition impugning the order of the learned Magistrate dated 10.07.2017 in dismissing the CrI.M.P.No.500 of 2017 which is a petition filed by them for recall of the Non Bailable Warrants (N.B.Ws) long pending. Even the order impugned clearly shows the long pending N.B.Ws. and even further steps u/ Sec.82 and 83 of CrPC also chosen to take.

Having regard to the above, there are no grounds to sit against the impugned order much less by invoking Section 482 CrPC for the order impugned herein is absolutely correct in dismissing the N.B.Ws. recall petition. However, the fact remains that even N.B.Ws. issued and not recalled, the petitioners are at liberty to surrender before the learned Magistrate by filing application u/ sec.44 of CrPC and for the learned Magistrate to take custody and since the bail order appears to be in force and not cancelled, they have to, subject to penalty to be imposed, execute fresh bonds by furnishing fresh solvency to enlarge.

Accordingly and in the result, the Criminal Petition is disposed. Consequently, miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

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JUSTICE Dr. B.SIVA SANKARA RAO

Date: 08.08.2017

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