

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1058 OF 2017

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the impugned order, dated 29.07.2016 passed by the Additional Junior Civil Judge, Chilakaluripet, in taking cognizance against the petitioners as illegal and arbitrary and consequently to set aside the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners apprehends arrest in view of the Non Bailable Warrants (NBWs) issued by the trial Court. He further submits that the complaint does not disclose ingredients of any offences alleged against them and that the complaint is filed with all false allegations. However, the complaint is registered being crime No.146 of 2015 for the offences under Sections 307, 120-B read with Section 34 IPC. Hence, he prays this Court to quash the proceedings.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings. The petitioners are directed to surrender before the Court below on or before 10.02.2017 and file a petition to recall NBWs pending against them and on such application being filed, the Court below is directed to recall the NBWs issued against the petitioners on the same day on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum each for their future appearance.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

06.01.2017
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