

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46851 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India aggrieved by the conditions imposed by the Judicial Magistrate of First Class, Railway Kodur, vide order dated 19.12.2016 in CrI.M.P.No.2087 of 2016 in C.C.No.43 of 2016 while recalling NBWs issued against the petitioner.

2. The order under challenge is as follows:

“The petition is allowed by canceling NBWs pending against the petitioner subject to execution of personal bond of Rs.1,00,000/- with two sureties for a like sum. Among the sureties, one surety must be blood relative of the petitioner-accused and another surety must be local surety within the jurisdiction of the Court. The petitioner is further directed to deposit her original passport before the Court till conclusion of the trial. The petitioner is further directed to appear before the Court on every Friday in the first week and 3rd week of a month in between 10 a.m., and 1 p.m., till further orders. The petitioner is further directed to file her original address proof along with its copy for the purpose of comparison and return.”

Challenging the conditions imposed in the above order, the petitioner filed this writ petition.

3. Heard and perused the material available on record.

4. Considering the circumstances of the case and the submissions made by the learned Counsel for the petitioner, this Court is inclined to pass the following order:

“All the conditions imposed by the learned Judicial Magistrate of First Class, Railway Kodur in the above order

while recalling NBWs issued against the petitioner, are set aside. NBWs issued against the petitioner on 16.3.2016 in C.C.No.43 of 2016 on the file of the Judicial Magistrate of First Class, Railway Kodur, are recalled on condition of the petitioner executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Magistrate. Further, the petitioner is directed to appear before the learned Magistrate on all hearing dates in connection with above C.C.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Date: 3rd January, 2017
Nn

RAJA ELANGO, J



HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 3rd January, 2017

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