

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.325 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* to the 2nd respondent and restrain from executing the Non-Bailable Warrant issued on 29-12-2016 and consequently permit the petitioner to appear before the First Additional Judicial Magistrate of First Class at Kothagudem and also declare the action as illegal and arbitrary.

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

The learned counsel for the petitioner submitted that the petitioner is ready to surrender before the Court concerned and file a petition to recall the N.B.W. pending against him and prayed a direction to the trial Court to recall the warrant.

Considering the facts and circumstances of the case and also in view of the submissions made by the learned counsel for the petitioner, the writ petition is disposed of directing the petitioner to surrender before the Magistrate concerned and file an application to recall the NBW pending against him. On such surrender and filing of the application, the trial Court is directed to recall the warrant pending against the petitioner on the same day on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties for a like sum 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

