

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1117 OF 2017

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in threatening the petitioner to arrest in C.C.No.273 of 2016 on the file of the X Special Metropolitan Magistrate, Hyderabad, arising out of offences under Sections 326 and 506 IPC, as illegal and arbitrary and consequently to quash the proceedings in the said case.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner apprehends arrest in view of the Non Bailable Warrants (NBWs) issued by the trial Court. He further submits that the petitioner filed W.P.No.39869 of 2016 and this Court directed the petitioner to surrender before the Court below on or before 10.12.2016, however, he could not surrender within the stipulated time. Hence, he prays this Court to recall the NBWs pending against the petitioner.

Considering the facts and circumstances of the case, the petitioner is directed to surrender before the Court below on or before 10.02.2017 and file a petition to recall NBWs pending against him and on such application being filed, the Court below is directed to recall the NBWs issued against the petitioner on the same day on his executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance. The petitioner is directed to appear before the Court below regularly.

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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