

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2923 OF 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioners, who are A1 to A3, in C.C.No.294 of 2017, on the file of XXV Metropolitan Magistrate, Cyberabad, taken cognizance for the alleged offences punishable under Sections 406, 418, 120B and 500 IPC.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that the complainant was removed from service illegally. A perusal of the complaint does not show that any allegations constituting the alleged offences are made out. The public prosecutor submits that NBWs were issued by the lower court, after taking cognizance of the case and that the petitioner may be directed to file a petition to recall the NBWs. This Court also opines that, when the petitioners have a remedy of filing a petition before the court for recall of NBW, by showing sufficient cause for not responding to the summons they need not approach this Court to seek anticipatory bail.

4. Hence, the criminal petition is dismissed, with a liberty to the petitioners to file a petition seeking for recall of NBW. The court, in such event, shall recall the NBW, if there are merits in the petition.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

14.03.2018
SS

T.RAJANI, J