

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 9510 of 2019

ORDER:

This petition is filed for a writ of *Mandamus* declaring the show cause notice No.C/251/2019, dated 26.02.2019, issued by the 2nd respondent, forfeiting the bond allegedly executed by the petitioner on the ground that the petitioner has committed an offence under Section 177-E & 188 of IPC in Crime NO.7/2019, dated 07.01.2019, as arbitrary and illegal and for a consequential direction to set-aside the said show cause notice.

Learned counsel for the petitioner submits that petitioner was bound over in respect of an offence registered under Section 107 of Cr.P.C. on 15.10.2018. Now the petitioner and his wife are being falsely implicated in FIR No.7/2019, dated 26.02.2019 on the file of P.S.Velgatoor as A1 and A2, which is registered for the offences under Sections 177-E & 188 of IPC, and mere registration of the second crime cannot amount to breach of the conditions of bond given earlier and this Court has considered similar issue in WP.No.17279 of 2017 and set aside the penalty order.

Learned Government Pleader for Home could not dispute the fact that this Court has considered the similar issue in WP.No.17279/2017, dated 25.05.2017.

In view of the same and for the reasons alike, this writ petition is allowed in terms of the said order. No order as to costs.

As a sequel, miscellaneous applications, if any, pending shall stand closed. No order as to costs.

A.RAJASHEKER REDDY, J

03.06.2019
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