

IN THE HIGH COURT OF JUDICATURE: ANDHRA PRADESH: AT HYDERABAD

Thursday, the eighth day of July,

One thousand nine hundred and ninety three.

PRESENT:

THE HON'BLE MR. JUSTICE JAGANNADHA RAJU

CRIMINAL MISC. PETITION NO. 1782 of 1993

Between:

Pakalapati Suryanarayana Raju .. PETITIONER/Respondent No.1 in
Crl.P.549/93 on the file of the
High Court

and

1. Pakalapati Lakshmi
2. Pakalapati Jogi Raju
3. The State of A.P. rep. by Public Prosecutor, High Court of
A.P., Hyderabad

..RESPONDENTS/Petitioners 1 and 2 and
Respondent No.2 in do.

Petition U/s. 70(ii) and 482 Crl.P.C. praying that in
the circumstances stated in the affidavit filed therewith, the
High Court will be pleased to recall the N.B.W. dated 16-6-1993
pending Crl.P.549/93 on the file of the High Court.

Between:

1. Pakalapati Lakshmi
2. Pakalapati Jogi Raju being minor rep. by his mother 1st
Petitioner

..PETITIONERS/Petitioners in Crl.P.No.549/93
on the file of the High Court.

and

1. Pakalapati Suryanarayana Raju
2. The State of A.P. rep. Public Prosecutor, High Court of A.P.,
Hyderabad

..RESPONDENTS/Respondents in do.

Petition U/s. 561 of Crl.P.C. praying that in the circum-
stances stated in the memo filed in Crl.Petition, the High Court
will be pleased to direct the 1st respondent to submit himself
before the authorit's centre for cellular and molecular Bio-
logy, Hyderabad for DNA test to determine the percentage of the
2nd petitioner pending disposal of Criminal Petition.

This petition coming on for hearing, upon perusing the
petition and affidavit filed in support thereof and the orders
of the High Court dt. 8-4-93 and 16-6-93 and made in Crl.M.P.
76/93 and upon hearing the arguments of Mr.K.L.N.Swamy, Adv-
ocate for the petitioner and of Mr. A.Ramalingeswara Rao, Advocate
for the respondents 1 and 2 and the Public Prosecutor on behalf
of the state (Respondent No.3), the court made the following
ORDER:-

Pakalapati Suryanarayana Raju, the 1st respondent in Crl.
Petition No.549/93 against whom a N.B.W.has been issued, has
today come to court on his own without the N.B.W. being executed.
He has come forward with this petition to recall the N.B.W.
issued on 16-6-1993.

Sri K.L.N. Swamy, the advocate for Pakalapati Suryanarayana
Raju who has filed vakalat in the matter on 20-4-1993, solemnly

undertakes to see that his client will abide by each direction and order of the court and that he is prepared to undergo the D.N.A. test in the CCMB.

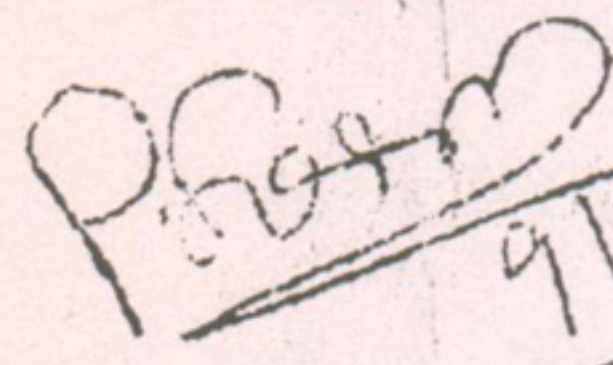
In this background, the W.B.W. shall be withdrawn. The petitioner in this CMP. (Respondent No. 1 in Crl.P.No. 549/93) should execute a bond in favour of the Registrar (Judl) undertaking to abide by the following conditions:-

1. He will be present in Hyderabad for one week from today to 15-7-93. Everyday, he would appear before the Registrar (Judl) and as and when the Registrar (Judl.) send him to the Director, Centre for Cellular and Molecular Biology, Hyderabad (CCMB.) he should present himself to undergo the D.N.A. test in the CCMB. The advocate for the Petitioners in Crl.Petition No. 549/93 Sri A. Ramalingeswara Rao undertakes to deposit the necessary fees for conduct of tests by the C.C.M.B. as and when the authorities of CCMB. gives the estimate of the fees payable.

2. Pakalapati Suryanarayana Raju alongwith the petitioners in Crl.P.No. 549/93 shall present themselves before the authorities, C.C.M.B. tomorrow, i.e., 9-7-1993 and Sri A. Ramalingeswara Rao, learned counsel for petitioners shall accompany them and pay the necessary fees payable for tests. If the C.C.M.B. authorities direct them to come on any other day, the parties should go there on the date fixed.

Sd/- D.V. Subrahmanyam
ASSISTANT REGISTRAR

-- True Copy --


9/7/93

for ASSISTANT REGISTRAR

To

1. The Director, C.C.M.B., Hyderabad (with covering letter)
2. The Station House Officer, Mareduilli Police Station, Mareduilli, E.G. Dist.
3. 2 ccs. to the Public Prosecutor, High Court of A.P., Hyderabad (O.U.T.)
4. The Superintendent of Police, E.G. Dist.
5. The II Addl. Sessions Judge, E.G. Dist., Rajahmundry.
6. The Sub Divisional Magistrate, Ramachodavaram, E.G. Dist.
7. One cc. to Mr. K.L.N. Swamy, Advocate (OPUC)
8. One cc. to Mr. A. Ramalingeswara Rao, Advocate (OPUC)
9. One spare copy.

msks.