

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.30044 of 2015

C.Manvannan

... Petitioner

Vs

The State Rep. by its
The Inspector of Police,
Economic Wing-II-Branch-II,
Coimbatore.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Principal District and Sessions Judge, Coimbatore to consider the recall warrant petition filed by the petitioner in C.C.No.14 of 2014.

For Petitioner : Mr.K.Myilsamy

For Respondent : Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the learned Principal District and Sessions Judge, Coimbatore to consider the recall warrant petition filed by the petitioner in C.C.No.14 of 2014.

2. The petitioner along with other accused was running partnership business under the name and style of "Om Sakthi Emu Farms" and invited the depositors to deposit their money with the accused company with an intention to cheat the depositors. The petitioner along with other accused has dishonestly converted the deposited money for their personal use and cheated the depositors. The respondent police has registered the complaint in Crime No.27 of 2012 and on completion of investigation the charge sheet has also been filed and the same was taken on file in C.C.No.14 of 2014 on the file of the Principal District and Sessions Judge at Coimbatore and the petitioner is arrayed as fourth accused. Now, summons have been issued against the petitioner. As the petitioner has not appeared before the said Court, Non Bailable Warrant has been

issued against the petitioner. Hence the petitioner has come forward with the present petition.

3. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that the Non Bailable Warrant is pending against the petitioner for more than two years and as the the petitioner is absconding for a long period, there is no progress in the case and thus sought for dismissal of the petition.

4. In view of the submission of the learned Additional Public Prosecutor that the Non Bailable Warrant is pending against the petitioner for a very long time, I am not inclined to entertain this petition and the petition is liable to be dismissed.

5. Hence, this Criminal Original Petition is dismissed. However, the petitioner is directed to surrender before the trial Court and move for regular bail by filing appropriate application and on filing of such application, the trial Court is directed to consider the same on merits.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District & Session Judge,
Coimbatore.
2. The Inspector of Police,
Economic Wing-II-Branch-II,
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Mr.Myilsamy, Advocate, S.R.No.69057

Cr1.O.P.No.30044 of 2015

rv(CO)
srg(18/01/2016)