

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.9904 of 2016
and
Crl.MP.Nos.5222 & 5223 of 2016

M.Pandi ...Petitioner/4th Accused

Vs.

State rep by Inspector of Police,
NIBCID, Salem Unit,
Salem District,
Crime No.34 of 2006 ...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records with charge sheet in C.C.No.28 of 2013 on the file of Special Court (Essential Commodities Act), Salem, Additional District Judge/Special Judge, Salem and quash the same.

For Petitioner : Mr.R.Nalliyappan
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.28 of 2013 on the file of the Special Court (Essential Commodities Act), Salem.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. It is seen that this petitioner has been absconding from the year 2006, and also filed anticipatory bail petition in Crl.OP.No.23121 of 2015, in which this Court has passed orders on 18.09.2015, directing the petitioner to surrender before the trial Court for recalling the non-bailable warrant. The petitioner has not complied with the order passed by this Court,

and he has now approached this Court for quashing the final report itself.

4. An absconder cannot claim any privilege under law as observed by the Hon'ble Supreme Court in Niranjana Singh Vs. Prabhakar Rajaram reported in AIR 1980 SC 785, followed by this Court in Gladys Lily Vs. Superintendent of NCB, 1999 (4) Crimes 185 HC. Hence, the petitioner is directed to surrender before the trial Court, and liberty is given to the petitioner to approach this Court thereafter.

5. With the above direction, this Criminal Original Petition is closed. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

The Inspector of Police,
NIBCID, Salem Unit,
Salem District.

+ 1 cc to Mr.R.Nalliyappan, Advocate Sr 30255

KR/30/6/16

Cr1.O.P.No.9904 of 2016

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