

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2017

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.28167 of 2017

A.Athimoolam

... Petitioner/A 11

Vs.

The State rep.by
The Additional Superintendent of Police,
CBI, ACB,
No.26, Haddows Road,
Chennai – 6.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the XI Additional City Civil Court for CBI Cases, Chennai to recall the NBW issued by them in C.C.No.16/2014 pending on the file of the XI Additional City Civil Court for CBI Cases, Singaravelar Maligai at Chennai in accordance with law.

For Petitioner : No Appearance

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI Cases)

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ORDER

This Criminal Original Petition is filed to direct the XI Additional City Civil Court for CBI Cases, Chennai to recall the NBW issued by them in C.C.No.16/2014 pending on the file of the XI Additional City Civil Court for CBI Cases, Singaravelar Maligai at Chennai.

2. There is no representation for the petitioner. Heard Mr.K.Srinivasan, learned Special Public Prosecutor (CBI Cases) appearing for the respondent.

3. A perusal of the petition indicates that the petitioner herein who is 11th accused in C.C.No.16/2014 has failed to appear before the trial Court on the date of hearing and there was no representation on his behalf. No petition was filed to condone his absence.

4. Hence, trial Court has issued Non Bailable Warrant for his appearance. Instead of approaching the trial Court to recall warrant, the present petition is filed under Section 482 Cr.P.C. Since there is specific provision under law for redressal, the criminal original

petition filed under Section 482 Cr.P.C., stands dismissed.

18.12.2017

AT

Index: Yes/No

To

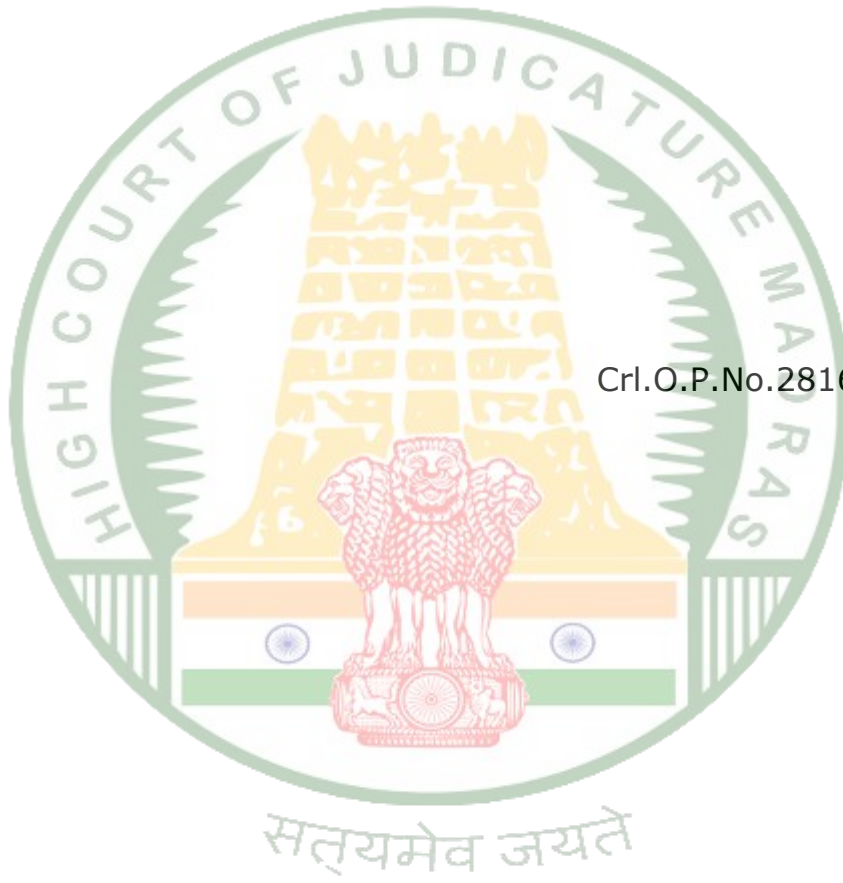
1. The Additional Superintendent of Police,
CBI, ACB,
No.26, Haddows Road,
Chennai – 6.
2. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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