

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. No.15754 of 2018
and
CrI.MP.Nos.8057 & 8058 of 2018

1.M.Jeyaraj
2.Suresh @ Kumar

...Petitioners

vs.

The Assistant Commissioner of Police
NIB CID, Chennai.

....Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. to call for the records relating to C.C.No.34 of 2011 on the file of the Special Judge, 1st Additional Special Court under NDPS Act Cases, Chennai and quash the same.

For petitioner : Mr.Shanmugavelayutham, Senior Counsil
for Mr.T.Vijayaraghavan

For Respondents: Mrs.Kritika Kamal.P
Government Advocate (CrI. Side)

O R D E R

This Criminal Original Petition has been filed to call for the records relating to C.C.No.34 of 2011 on the file of the Special Judge, 1st Additional Special Court under NDPS Act Cases, Chennai and quash the same.

2. It is seen that the accused are in abscondence. In Gladys Lily Vs. Superintendent NCB [1999 (4) Crimes 185 (HC)], the absconding accused cannot claim any privilege under Section 482 Cr.P.C., as observed by the Hon'ble Supreme Court in Niranjan Singh v. Prabhakar Rajaram [AIR 1980 SC 785].

Hence, this petition is dismissed with liberty to the petitioner to surrender before the trial Court and file a fresh petition. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk

To

- 1.The Special Judge,
1st Additional Special Court under NDPS Act Cases,
Chennai.
- 2.The Assistant Commissioner of Police
NIB CID, Chennai.
- 3.The Public Prosecutor
High Court, Madras.

+1cc to Mr.T.Vijayaraghavan, Advocate, S.R.No.38385

SVN(CO)
BM 29/06/2018

Cr1.O.P. No.15754 of 2018

सत्यमेव जयते

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