

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.23509 of 2018
and
CRL.M.P.No.13185 of 2018

T.Amutharasu

.. Petitioner

Vs.

The State of Tamilnadu,
Rep.by Deputy Superintendent of Police,
Special Investigation Division,
C.B.C.I.D Coimbatore.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the entire records pertaining to the order of cancellation of bail in C.M.P.No.1440 of 2017 in S.C.No.78 of 2016 dated 07.06.2018 and the consequential order of issuance of non bailable warrant issued against the petitioner in S.C.No.78 of 2016 dated 07.06.2018 on the file of the Hon'ble Principal District and Session Judge, Namakkal and set aside the same.

For Petitioner : Mr.R.Selvakumar
For Respondent : Mrs.M.Prabhavathi, APP

O R D E R

It is seen that this petitioner is A17 in S.C.No.78 of 2016. The petitioner was in abscondance for a very long time. Therefore, the trial Court cancelled his bail on 07.06.2018 and thereafter, proclamation under Section 83 Cr.P.C has been issued on 10.09.2018. Under such circumstances, the petitioner is present before this Court with the above prayer.

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

3.In the opinion of this Court, an absconder cannot claim privilege of law. The fact remains that the petitioner was in abscondance before the trial Court and therefore, the trial Court had no other option to issue NBW and cancelled his bail. Under such circumstances, it is open to the petitioner to surrender before the trial Court and workout his remedies in the manner known to law.

With the above direction, this petition is closed.
Consequently, connected Miscellaneous Petition is closed.

Dua

Sd/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

To

1.The Principal District and Session Judge,
Namakkal.

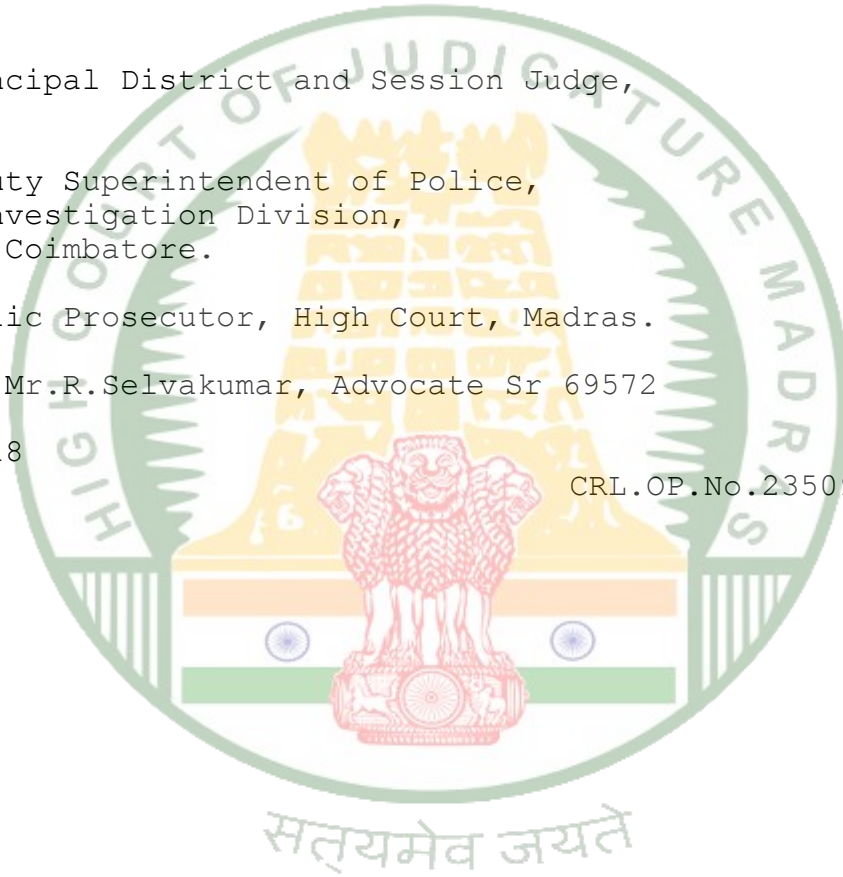
2.The Deputy Superintendent of Police,
Special Investigation Division,
C.B.C.I.D Coimbatore.

3.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.R.Selvakumar, Advocate Sr 69572

KR/12/11/18

CRL.OP.No.23509 of 2018



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