

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.10092 of 2019

and

Crl.M.P.Nos.5225 & 5226 of 2019

Anbalagan, M/53 yrs,
S/o.Kathiresan,
No.12/1, Dr.Vasudevan Nagar,
Extension, Thiruvannamiyur,
Chennai-600 041.

.... Petitioner

Vs

State represented by
1.The Inspector of Police,
Sedarapet Police Station,
Puducherry.

2.Suresh M/25 yrs,
S/o.Gothandapani,
No.61, Mariamman Koil Street,
Pandasozha Nallur,
Nettapakkam Commune,
Puducherry.

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records pertaining to the final report filed in S.T.C.No.36 of 2018, dated 30.03.2017 on the file of the learned Judicial Magistrate-IV, Puducherry and quash the same.

For Petitioner : Mr.A.Bobblie

For R1 : Mr.V.Balamurugane
Additional Public Prosecutor (Puducherry)

For R2 : No appearance

O R D E R

This petition has been filed seeking to quash the proceedings in S.T.C.No.36 of 2018, pending on the file of the Judicial Magistrate-IV Pondicherry.

2.The learned Public Prosecutor submitted that even after taken cognizance by the trial Court and after receipt of summons, the petitioner did not appear before the trial Court and absconded. Only because of the absence of the petitioner/accused the trial proceedings is pending.

3. It is seen that when Non Bailable Warrant is pending as against the petitioner, the petitioner is not entitled for any relief as such, this Court is not inclined to quash the proceedings. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

4.Further, the respondent is directed to take appropriate steps to secure the petitioner for the purpose to expedite the trial.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mpa

To

1.The learned Judicial Magistrate-IV Pondicherry.

2.The Inspector of Police,
Sedarapet Police Station,
Puducherry.

3. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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GN(25/09/2020)