

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.17276 of 2017
and
CrI.MP.Nos.10593 & 10594 of 2017

Sudhan Petitioner/Accused No.2

Vs.

1. The Inspector of Police,
City Crime Branch,
Coimbatore.

2.P.Alagirisamy Respondents/Dejure Complainant
and Accused not appearing in person or by an Advocate.1

PRAYER:

Criminal Original Petition filed under Section 482
Cr.P.C. praying

(a) To dispense with the personal appearance of the
petitioner in C.C.No.406 of 2017 on the file of Judicial
Magistrate No.III, Coimbatore.

For Petitioner : No appearance

For Respondents : Mr.K.Prabakaran (for R1)
Additional Public Prosecutor

No appearance (for R2)

ORDER

This petition has been filed to quash the proceedings
in C.C.No.406 of 2017 on the file of Judicial Magistrate
No.III, Coimbatore.

2. The learned Additional Public Prosecutor submitted
that the petitioner is not an accused in C.C.No.406 of
2017 on the file of Judicial Magistrate No.III,
Coimbatore. However, they wrongly typed the C.C number
and he is an accused in C.C.No.407 of 2016 on the file of
Judicial Magistrate No.III, Coimbatore. He further
submitted that that the entire trial has been transferred
to the file of the Judicial Magistrate No.III, Coimbatore.

The petitioner did not appear before the trial court and therefore, NBW has been issued and it is pending for the past one year only because of the absence of the petitioner. The trial stands still and the trial court could not be able to proceed with the trial.

3. Considering the above submission and the NBW is pending as against the petitioner, the petitioner is not entitled for any relief. Therefore, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are closed. The first respondent is directed to execute NBW pending as against the petitioner as expeditiously as possible.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gv

To

1. The Inspector of Police,
City Crime Branch,
Coimbatore.
2. The Judicial Magistrate No.III,
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

CrI.O.P.No.17276 of 2017
and
CrI.MP.Nos.10593 & 10594 of 2017

AD(CO)
CB(06/08/2020)

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