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CrI.O.P.No.28410 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.28410 of 2017
and
CrI.M.P.Nos.16143 and 16144 of 2017

1. M/s P.V.S.Textiles Private Limited,
Pethanaickenpalayam,
Pongalur Post,
Avinasi Tk,
Via Punjai Puliyampatti
Coimbatore District-638 459

2. V.D.Raamkumar

... Petitioners

-Vs-

M/s Sri Lakshmi Mills
represented by partner,
Kishore M.Sethia
223-Q, Royalecastle Apartment,
East Sambandam Road,
Coimbatore-641 002.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to C.C.No.238 of 2016 on the file of Fast Track Court No.II at Magisterial Level, Coimbatore and quash the same.

For Petitioners : Mr.R.Bharath Kumar

For Respondent : Mr.K.Balasubramaniam

ORDER



Crl.O.P.No.28410 of 2017

This Criminal Original Petition has been filed calling for the records in C.C.No.238 of 2016 on the file of Fast Track Court No.II at Magisterial Level, Coimbatore and to quash the same.

2. The learned counsel for the petitioners would submit that already the trial has been commenced and P.W.1 was examined and marked Exs.P1 to 4. However, the accused was not present before the Trial Court and as such, Non-Bailable Warrant was issued on 31.07.2017 by the Trial Court. Suppressing the said fact, the petitioners had approached this Court to quash the proceedings in C.C.No.238 of 2016, on the file of the Fast Track Court No.II at Magisterial Level, Coimbatore and obtained order of interim stay and dispense with the personal appearance before the Trial Court.

3. When the Non-Bailable Warrant is pending as against the accused, even before approaching this Court, the accused is not entitled for any relief.

4. Therefore, this Court is not inclined to quash the proceedings in C.C.No.238 of 2016 on the file of the Fast Track Court No.II at Magisterial Level, Coimbatore. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.



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(3/3)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn

To
The Fast Track Court No.II at Magisterial Level, Coimbatore.

G.K.ILANTHIRAIYAN. J,

mn



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