



CrI.O.P.No.4852 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 21.02.2025

CORAM:

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

CrI.O.P.No.4852 of 2025 &
CrI.M.P.No.3147 of 2025

Keer @ Thasthakeer

Vs.

... Petitioner

1. The State, represented by
the Deputy Superintendent of Police,
CBCID, OCU – II,
Chennai

2. Kuriakose

... Respondents

PRAYER: Petition filed under Section 528 of B.N.S.S. Act praying to call for the records pertaining to a case in C.C.No.9888 of 2018 on the file of XI Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner : Mr. K. Karuppaiya Mooppanar

For Respondents : Mr. K.M.D. Muhilan

ORDER

This Criminal Original Petition is filed to call for the records pertaining to a case in C.C.No.9888 of 2018 on the file of XI Metropolitan Magis, Saidapet, Chennai and quash the same.

2. Heard the learned counsel for the petitioner and the learned Govt.



Crl.O.P.No.4852 of 2025

Advocate (crl.side) appearing for the 1st respondent.

WEB COPY 3. The learned Govt. Advocate (crl.side), on instructions, submitted that the petitioner was arrayed as A7 in C.C.No9888of 2018 on the file of XI Metropolitan Magistrate, Saidapet, Chennai for the offence under section 365 of IPC. As the petitioner herein has failed to appear for the hearings before the trial court, the trial court issued nonailable warrant against the petitioner. The petitioner filed anticipatory bail before this court and the same was also dismissed.

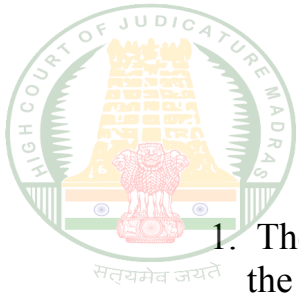
4. Perusal of records reveals that the petitioner was facing trial in C.C.No.9888 of 2018 before the XI Metropolitan Magistrate, Saidapet, Chennai and since he failed to appear before the trial court for the hearings, a Nonailable Warrant was also issued against him. When the Nonailable Warrant is pending as against the petitioner, he is not entitled for the relief sought in this petition. Hence, this petition is dismissed. Consequently, the connected miscellaneous petition is closed.

21.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
msr

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1. The State, represented by
the Deputy Superintendent of Police,
CBCID, OCU – II,
Chennai.
2. The XI Metropolitan Magistrate, Saidapet.
3. The Public Prosecutor,
Madras High Court.



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Crl.O.P.No.4852 of 2025

G.K.ILANTHIRAIYAN, J.

msr

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