



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14768 of 2026

and

CRL MP No.9455 of 2026

Girivasan

Petitioner(s)

Vs

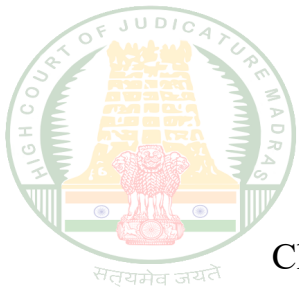
The State Rep. by,
The Inspector of Police,
Tiruppur South Police Station,
Tiruppur District.
Crime No.657 of 2014.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS Act, 2023, to SET-ASIDE the Docket Order of issuance of proclamation under section 82 and 83 of Cr.P.C dated 13.03.2026 made in S.C.No.64 of 2019 passed by the Learned II Additional District and Sessions Judge Tiruppur in so far as the petitioner is concerned.

For Petitioner(s): Ms.Gayathri Vasudevan

For Respondent(s): Mr.A.Amarnath
Government Advocate (Crl. Side)

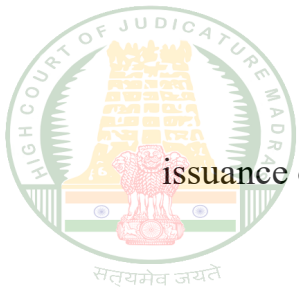


ORDER

Challenging the docket order dated 13.03.2026 made in S.C.No.64 of 2019 passed by the learned II Additional District and Sessions Judge, Tiruppur, issuing proclamation proceedings under Sections 82 and 83 of Cr.P.C., the petitioner had filed the present petition.

2. The petitioner is arrayed as A7 in the above case. A non-bailable warrant is pending against the petitioner and three other accused, namely A3, A5 and A6. Thereafter, the petition has been filed under Section 82 of Cr.P.C., to declare that the petitioner and other accused are absconding. The trial Court issued proclamation proceedings and directed the respondent police to effect paper publication. The matter was posted on 05.06.2026 and subsequently adjourned to 19.06.2026.

3. The primary contentions of the petitioner is that the trial Court erred in ordering the issuance of proclamation under Section 82 and 83 of Cr.P.C. It is submitted that a non-bailable warrant was issued against the petitioner on 18.10.2024. Though the petitioner had engaged a counsel to defend him, the counsel neither appeared before the Court nor informed the petitioner about the stage of the proceedings. Consequently, the petitioner was unaware of the



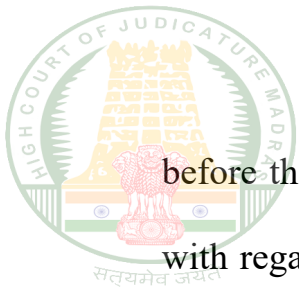
issuance of non-bailable warrant and the subsequent proceedings.

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4. The learned counsel for the petitioner submitted that the petitioner is ready to appear before the trial Court, file his objections with regard to proclamation proceedings, and to take appropriate steps for recalling the non-bailable warrant, and participate in the trial Court.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and also perused the materials available on record.

6. Upon considering the submissions made by the learned counsel on either side, it is seen that the proclamation proceedings have already been initiated. It is open to the petitioner to make his objections before the Court concerned to establish that he is not absconding and he is very much available to face the proceedings, and that the absence of the petitioner before the trial Court is due to a communication lapse on the part of the counsel engaged by him. It is also submitted that the matter is posted before the trial Court on 19.06.2026. In such circumstances, this Court directs the petitioner to appear



before the trial Court and raise all his objections and grounds available to him with regard to the issuance of proclamation proceedings under Sections 82 and 83 of Cr.P.C., before the trial Court on 19.06.2026.

7. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed.

11-06-2026

Jd

Neutral Citation: Yes/No

To

1. II Additional District and Sessions Judge, Tiruppur.

2. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur District.
Crime No.657 of 2014.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.
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