

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13-05-2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Cr1. R.C. No.468 of 2015

1. ROOPESH @ PRAVEEN @ PRAKASH @
 PRASANTH
 S/O.RAMACHANDRAN
 VALAPAD
 THIRUSSUR
 KERALA STATE.

2. KANNAN
 S/O.SANKARAN
 2 A/1 C.S.BALAKRISHNA IYER LANE
 OLD KUYAVARPALAYAM
 MADURAI.

3. VEERAMANI @ ESWAR @ SARA @
 SENTHILKUMAR
 S/O.CHINNAPILLAI
 SAMAYANALLUR
 KOLLUMEDU POST
 KATTUMANNARGUDI
 CUDDAORE DISTRICT.

4. SHYNA @ SHINY
 W/O.ROOPESH
 VALAPAD
 THIRUSSUR
 KERALA STATE.

5. ANUP MATHEW GEORGE
 S/O.GEORGE
 KULIPARAMPIL
 PATHANAMTHITTA
 KERALA STATE.

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Petitioners

Vs

1. THE STATE, REPRESENTED BY
 THE DEPUTY SUPERINTENDENT OF POLICE
 Q BRANCH CID
 COIMBATORE DISTRICT
 (CR.NO.1 OF 2015)

Res

Criminal Revision Case filed under Section 397 r/w 401 of the Code of Criminal Procedure to call for the connected records in C.M.P.No.214 of 2015 dated 06.05.2015 passed by the Vacation Sessions Judge Coimbatore and set aside the same as illegal.

For petitioners Mr. R. Sankarasubbu

For respondent Mr. S. Shanmuga Velayutham (PP)

ORDER

The petitioners have been arrayed as accused in Crime No. 1 of 2015 of Coimbatore District Q Branch CID, under Section 120-B read with 124-A, IPC and Section 20 of the Unlawful Activities (Prevention) Act, 1967. After the petitioners were remanded, an application was filed by the respondent under Section 167(2) of the Code of Criminal Procedure read with 43 D(2) of the Unlawful Activities (Prevention) Act, 1967 seeking custody of 15 days. After affording due hearing to the parties, the Court-below was pleased to grant 10 days as against 15 days sought for. The said order is put into challenge in this revision.

2. Mr. Sankara Subbu, learned counsel appearing for the petitioners submitted that the order does not disclose any reason as the valuable rights of the petitioners are involved and such an order cannot sustain in the eye of law.

3. Per contra, the learned Public Prosecutor appearing for the respondent submitted that the order has worked itself out and only two more days are remaining in pursuance of the same.

4. A perusal of the order passed by the Court-below would show that the submissions raised by the parties have been taken note of. Furthermore, this Court does not want to indulge in any academic exercise, since of the 10 days, 8 days would be over by today. What is remaining is only two more days. Accordingly, this Court is of the view that no interference is required at this stage, particularly, when an order has been passed by the Court-below, after considering the relevant materials. However, as the period of 10 days was accepted by the respondent, it is made clear that, it is not open to them to file any more application seeking further custody, unless for compelling reasons.

5. The criminal revision case is disposed of, accordingly. The connected M.P.No.1 of 2015 is closed.

//True Copy//

Sd/-
Vacation Officer,
Sub Assistant Registrar

ssd/glep

To

THE DEPUTY SUPERINTENDENT OF POLICE
Q BRANCH CID
COIMBATORE DISTRICT

2. The Vacation Sessions Judge,
(Mahalir Neethimandram), Coimbatore.

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.R. Sankarasubbu, Advocate SR.25109
+ 1 cc to Public Prosecutor, SR. 25293

EU 15.05.2015

Cr1. R.C. No.468 of 2015

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