

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirty First day of October Two Thousand Seventeen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.13461 of 2017

IN CRL A.852/2016

VINOD,

[PETITIONER/APPELLANT]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION-ACB
CHENNAI.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to condone the absence of the petitioner for the months of August, September, & October, 2017 and permit the petitioner to continue to report before the Learned XI Additional Sessions Judge (Special Judge for CBI Cases, Chennai), pending disposal of the above Criminal Appeal No.852 of 2016.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of MR.T.SAIKRISHNAN, M/S.SAI BHARATH AND ILAN, Advocate for the petitioner and of Mr.K.SRINIVASAN, SPECIAL PUBLIC PROSECUTOR FOR CBI CASES, on behalf of the Respondent the court made the following order:-

This petition is filed to condone the absence of the petitioner for the months of August, September and October 2017 and to permit the petitioners to continue to report before the learned XI Additional Sessions Judge(Special Judge for CBI Cases, Chennai) pending disposal of the above criminal appeal.

2. According to the petitioner herein, this Court suspended the sentence on 02.01.2017 on condition that the petitioner shall report before the trial Court on the first working day of every English calender month. It appears that during the month of August 2017, he could not comply with the condition since he was out of the station and held at Rajkod, since his train was cancelled due to incessant rains. Thereafter, it appears that he reported before the trial Court on 03.08.2017 but the trial Court has not accepted the belated appearance.

3.The learned Special Public Prosecutor(CBI Cases) appearing for the respondent earlier sought to verify as to whether this petitioner was regular in appearance before the trial Court as per the condition

for the previous months.

4.Today, the learned Special Public Prosecutor (CBI Cases) appearing for the respondent submits that till July 2017, the petitioner was promptly reporting before the trial Court on the first working day of every month.

5.Taking note of above fact, the non-appearance of the petitioner for the past three months is condoned and this petition is ordered. The petitioner shall report before the trial Court on the first working day of every month from 01.11.2017. If the petitioner fails to comply with this condition, it is open to the trial Court to proceed further in accordance with law.

-sd/-
31/10/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE XI, ADDITIONAL SESSIONS
JUDGE, (SPECIAL JUDGE FOR CBI
CASES) CHENNAI.

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION-ACB
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

+1 C.C. to M/S.SAI BHARATH AND ILAN Advocate on payment of
necessary charges -Sr.20080

Order

in
CRL MP.13461/2017

in
CRL A.852/2016

Date :31/10/2017

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ths : 31.10.2017