

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.14014 of 2017

IN CRL A.326/2016

PONNUSAMY

[PETITIONER]

Vs

THE STATE REP BY ITS,
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI CITY-I DETACHMENT,
CHENNAI-600 028.
CR.NO.12/AC/95/CCII.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the conditions imposed in Crl.M.P.No.5039 of 2016 dated 28.04.2016 pending appeal in Crl.A.No.326 of 2016 on the file of this Hon'ble Court.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.C.V.KUMAR, Advocate for the petitioner and of MR.P.GOVINDARAJAN ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

Seeking to relax the condition imposed by this Court in Crl.M.P.No.5039 of 2016 in Crl.A.No.326 of 2016, dated 28.04.2016 the petitioner/appellant is before this Court with this petition.

2. This Court by an order dated 28.04.2016 imposed conditions to the petitioner that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of learned X Additional Judge / Special Judge, Chennai and the petitioner / appellant shall appear on the first working day of every English calendar month at 10:30 a.m. before the learned Judge until further orders.

3. The learned counsel appearing for the petitioner submitted that the present miscellaneous petition is the second

relaxation application moved before this Court. The petitioner has complied with the above condition without fail for a period of six months and subsequently filed the first relaxation petition before this Court in CrI.M.P.No.10594/2016 and by an order dated 06.10.2016, this Court has relaxed the condition imposed on the petitioner, directing the petitioner to appear before the trial Court once in three (03) months and the petitioner has also complied with the above condition passed by an order of this Court dated 06.10.2016, without fail for the past one year. He further submitted that for co-accused, this Court in CrI.M.P.No.5141. 5142 & 5143 of 2017 dated 27.04.2017 has relaxed the condition by passing an order directing them to appear before the trial Court once in 6 months.

4. The learned Additional Public Prosecutor (criminal side) appearing for the respondent took notice and reported that the petitioner has been regularly complying with the conditions imposed by this Court on 28.04.2016 and 06.10.2016 to till date.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

6. Taking note of the facts and circumstances of the case, one of the conditions imposed by this Court on 06.10.2016 that the petitioner / appellant shall appear on the first working day of every month at 10:30 a.m. before the learned Trial Judge is modified to the effect that **(*) The Petitioner is directed to appear before the trial Court viz., the learned X Additional Judge/Special Judge, Chennai every six months starting from January 2018 and he shall report on the first working day of every month of January and July at 10.30 a.m., until further orders.**

7. Accordingly, this criminal miscellaneous petition is modified.

-sd/-
15/11/2017

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.

**(*) Being Mention as per order of this Court dated 29.11.2017
in Cr1.MP.No.14014/2017 in Cr1.A.No.326/2016**

TO

1 THE SPECIAL JUDGE UNDER
PREVENTION OF CORRUPTION ACT,
X ADDITIONAL JUDGE, CHENNAI.

2 THE ADDITIONAL PUBLIC
PROSECUTOR, HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI CITY-I DETACHMENT,
CHENNAI-600 028.

+1C.C. to M/S.C.V.KUMAR Advocate on payment of necessary
charges SR NO.21773

Order

in
CRL MP.14014/2017

in
CRL A.326/2016

Date :15/11/2017

From 7.2.2001 the Registry is issuing certified
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MK:17/11/2017
MD: 30/11/2017