

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Seventeenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice M. SATHYANARAYANAN
and

The Hon`ble Mr Justice N. SESHASAYEE

CRIMINAL MISCELLANEOUS PETITION No.14343 of 2017

IN CRL A.751/2010

1 MOHANDASS
2 SATHYABAMA

[PETITIONERS]

Vs

STATE REP. BY
THE ASST. COMMISSIONER OF POLICE,
R3, ASHOK NAGAR RANGE,
R-7, K.K.NAGAR POLICE STATION,
CHENNAI.CR.NO.1258 OF 2008.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition imposed on the petitioners that they should appear before the concerned Magistrate Court on every Monday at 10.30 a.m. until further orders in Crl.A.No.751 of 2010 dated 04.10.2013.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.SWAMI SUBRAMANIAN Advocate for the petitioner and of MR.R.RAVICHANDRAN, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

The petitioners are arrayed as A3 and A4. Initially, they were convicted by the Court of Additional District and Sessions Judge - cum - Fast Track Court No.V, Chennai, vide judgment dated 22.10.2010 in SC.NO.316/2010. Aggrieved by the same, all the accused had preferred appeals and a Division Bench of this Court had allowed CA.Nos.695, 751/2010 and 83/2011 and has remanded the matter to the Investigating Officer, viz., the Joint Director, CBI, for re-investigation and in the interregnum, ordered the release of the appellants/accused including the petitioners herein, subject to the execution of the bond for a sum of Rs.25,000/- each, with a further direction, directing them to appear before the concerned Magistrate Court on every Monday at 10.30 a.m. until further orders.

2 The learned counsel for the petitioners/A3 and A4 would submit that challenging the said judgment, the State has filed appeals before the Hon'ble Supreme Court of India and the same are

pending. It is also submitted that the petitioners are complying with the condition regularly by appearing for the concerned Magistrate from 21.10.2013 onwards.

3 In view of the above submission of the learned counsel for the petitioners to the effect that the petitioners are complying with the conditions regularly from 21.10.2013 onwards, this Court is inclined to modify the said condition.

4 Accordingly, the petition is ordered and the petitioners are directed to appear before the Court of XVIII Metropolitan Magistrate, Saidapet, Chennai-15, on the first working day of every English Calendar month at 10.30 a.m. until further orders.

-sd/-

17/11/2017

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.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.XVIII, SAIDAPET, CHENNAI-15

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE ASST. COMMISSIONER OF POLICE,
R3, ASHOK NAGAR RANGE,
R-7, K.K.NAGAR POLICE STATION, CHENNAI.

5 THE ADDITIONAL DISTRICT
AND SESSIONS JUDGE CUM FAST TRACK COURT NO.V, CHENNAI
+1 C.C. to M/S.SWAMI SUBRAMANIAN Advocate on payment of
necessary charges SR.NO. 21115

Order

in
CRL MP.14343/2017

in
CRL A.751/2010

Date :17/11/2017

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