

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2017

CORAM:

THE HON'BLE MR.JUSTICE S.BASKARAN

Crl.O.P.No.1125 of 2017

Dharmbir Prasad

..Petitioner

Vs

The State
rep. By Inspector of Police
CBI/SCB
Chennai
Crime No.RC.4(5)/2016

..Respondent

Crl.O.P., filed under Section 482 of Cr.P.C., seeking to set aside the order passed by the learned Principal Sessions Judge, Chennai, in Crl.M.P.No.45 of 2017 dated 06.01.2017.

For Petitioner : Mr.S.V.Karthikeyan

For respondent: Mr.K.Srinivasan, Special Public Prosecutor.

ORDER

This Criminal Original Petition is filed seeking to set aside the order dated 06.01.2017 passed in Crl.M.P.No.45 of 2017 on the file Principal Sessions Court, Chennai.

2. CrI.M.P.No.45 of 2017 has been filed by the petitioner/accused seeking to relax the condition imposed in CrI.M.P.No.199975/2016 dated 23.11.2016, wherein, bail was granted to the petitioner directing to appear before the Investigating Officer daily at 10.30 a.m., and 5 pm., until further orders. The said petition was dismissed by the court below recording the reason that if the condition imposed is relaxed, he may abscond and the service of summons could not be effected and may not be available for trial. Aggrieved over the said dismissal of CrI.M.P.No.45 of 2017, this petition has been filed.

3. It is contended by the learned counsel appearing for the petitioner that the petitioner is a North Indian and is a permanent resident of the mentioned address and also employed in Government Service and further the investigation of the case is completed and final report is also filed. The learned counsel thus, prayed this court to allow this petition.

4. The learned Special Public Prosecutor appearing for the respondent/State submits that the case is posted on 16.02.2017 for commencement of trial and the petitioner has been complying with the conditions of bail regularly.

5. Considering the submission made on the side of the petitioner as well as the respondent, this petition is allowed and the order passed in Crl.M.P.No.45 of 2017 dated 06.01.2017 is set aside on condition that the petitioner shall appear before the concerned court every Monday and on all the hearing dates at 10.30 a.m.

6. This petition is ordered accordingly.

30.01.2017

nvsri

To

1.The Inspector of Police
CBI/SCB
Chennai

2.The Principal Sessions Judge, Chennai.

S.BASKARAN,J.

nvsri

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30.01.2017

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