



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL MP(MD) No.1093 & 1094 of 2017
IN
CRL A(MD) No.44 & 45 of 2004

NALLAPPA GOPALSWAMY

... APPELLANT/ACCUSED -1
IN BOTH THE PETITIONS

Vs

STATE REP.BY,
INSPECTOR OF POLICE
CBI, BS & FC,
BANGALORE.

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

PRAYER IN CRL MP(MD)NO.1093 & 1094/2017 :

Miscellaneous Petitions filed under Section 482 of Cr.P.C., praying that in the circumstances stated therein and in the affidavit filed therewith, the High Court, may be pleased to restore the main criminal appeals in C.A.(MD).No.44/2004 which was dismissed for Non-prosecution on 19/12/2016 by this Honourable Court.

PRAYER IN CRL A(MD)NO.44 & 45 OF 2004 :

Criminal Appeals filed under Section 374(2) Cr.P.C., praying this Court to set aside the Judgment dated 17.08.2004 on the file of the Principal Special Judge for CBI Cases, Madurai made in C.C.No.6/2000.

Order : These petitions coming on for hearing on this day upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Anand, Advocate for the petitioner and of Mr.S.Jeyakumar, Special Public Prosecutor for CBI Cases, appearing for the respondent in both the cases, this Court made the following order :-

Heard the learned Counsel for the petitioner, and the learned Special Public Prosecutor for CBI, Cases.

I am satisfied with the reasons stated in the affidavit filed in support of these petitions.

Hence, these petitions are allowed and both the Criminal Appeals are restored to filed. Consequently the connected Miscellaneous Petitions are also ordered to be restored.



Registry is directed to Post these Criminal Appeals on 08.03.2017 for hearing.

sd/-

Assistant Registrar (CS-I)

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE PRINCIPAL SPECIAL JUDGE FOR CBI CASES, MADURAI
- 2 THE INSPECTOR OF POLICE
CBI, BS & FC, BANGALORE.
- 3 THE SPECIAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 cc to MR.R.ANAND, Advocate SR.No.7392, 7393

GJM/pm/pn/sar-2-24.02.2017-2p-7c

ORDER DATED : 08/02/2017
POST ON : 08.03.2017
RESTORATION ORDER

CRL MP(MD) No.1093 &1094 of 2017
IN
CRL A(MD) No.44 & 45 of 2004

Nature of the ORDER : Restored
these petitions, against the
order in Cr1.A(MD)No.44 &
45/2004 dated 19.12.2016 etc.,
as stated within.