

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourteenth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.12047 of 2018

IN CRL A.208/2017

SHABEER AHMED

[PETITIONER]

Vs

STATE REP. BY

[RESPONDENT]

INSPECTOR OF POLICE,
CBI:ACB:CHENNAI,
(R.C.NO. 41(A) 2000)

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the bail condition imposed by this Honble Court that the appellant shall appear before the said trial court on every monday on every week at 10.30 a.m pendig appeal vide in Crl.M.P.No. 5039 of 2017 in Crl.A. 208 of 2017 dated 10.5.2017.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.K.SHANKER, 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 has been filed to relax the bail condition imposed by this court in Crl.M.P.No. 5039 of 2017 in Crl.A.No.208 of 2017 dated 10.05.2017 directing the petitioner to appear before the trial Court on every Monday at 10.30 a.m until further orders.

2. The learned counsel for the petitioner would submit that the petitioner has been convicted by the learned XI Additional Special Judge for CBI cases, Chennai. The learned counsel for the petitioner would submit that the petitioner is the normal resident of Karnataka and he is aged about 76 years and thereby, he was unable to comply the condition by traveling to Chennai and appearing before the Trial Court and he would submit that the petitioner is suffering from Senile Osteoporosis (Back born problem) and other age related ailments and due to the above said health issues he fall very sick and was bedridden and unable to walk. He would further submit that the petitioner's condition became worse

during the period between 03.05.2018 to 23.05.2018 and he was strictly advised to take bed rest and therefore, he was unable to travel to Chennai and thereby could not appear before the Trial Judge on 07.05.2018 and thereafter, he had appeared before the Trial Court on 18.06.2018 and he would submit that however the Trial Court declined to allow him comply with the condition stating that the petitioner was absent on 07.05.2018.

3. The learned counsel for the petitioner would submit that since the petitioner is aged about 76 years and that he is suffering from Senile Osteoporosis (Back born problem) the petitioner's case may be sympathetically considered and the absence may be condoned and the condition may be modified.

4. The learned Special Public Prosecutor would submit till 07.05.2018, the petitioner had regularly complied with the condition and had in due compliance appeared before the Trial Court on every Monday at 10.30 a.m.

5. Taking into consideration the submission made by the learned counsels, the absence of the petitioner is condoned and the condition is modified to the effect that the petitioner shall appear before the Trial Court namely XI Additional Special Judge for CBI cases, Chennai on the first working day of every English calendar Month at 10.30 A.M until further orders.

-sd/-
14/09/2018

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

सत्यमेव जयते
TRUE COPY

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

TO

1 THE XI ADDITIONAL SPECIAL
SESSIONS JUDGE, CHENNAI,
LEARNED SESSIONS JUDGE FOR CBI CASES
RELATING TO BANKS AND FINANCIAL INSTITUTIONS,
CHENNAI-101.

2 THE XI ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, CHENNAI.

3 THE INSPECTOR OF POLICE,
CBI:ACB:CHENNAI,
(R.C.NO. 41(A) 2000)

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

+1C.C. to M/S.K.SHANKER Advocate on payment of necessary
charges in SR.NO. 17450

Order

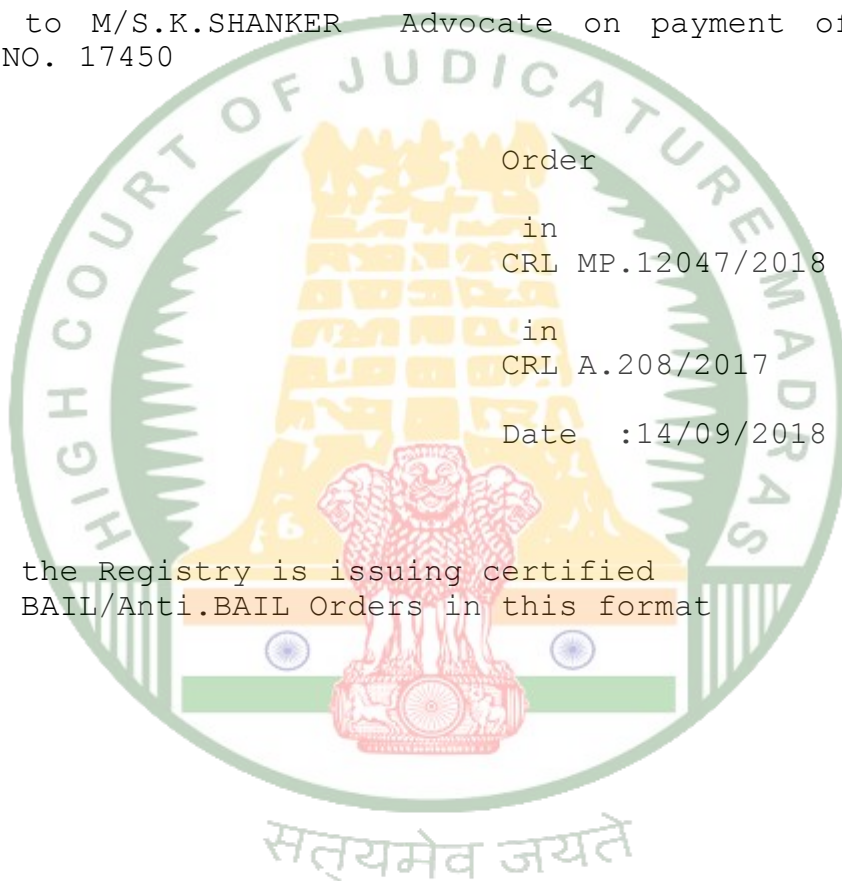
in
CRL MP.12047/2018

in
CRL A.208/2017

Date :14/09/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

MLT-19/09/2018



WEB COPY