

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.243 of 2018

IN CRL A.608/2016

SMT.M.QAMARUNISA,

[PETITIONER]

Vs

THE STATE REP BY, [RESPONDENT]

THE DEPUTY SUPERINTENDENT OF POLICE,

CENTRAL BUREAU OF INVESTIGATION,

CHENNAI.

CR.NO.RCMAI/2012/A0036.

Petition praying that in the circumstances stated therein the High Court will be pleased to direct the Respondent herein to return the key of locker No.339 with key No.14 of Central Bank of India, Kilpauk Garden Branch, Chennai so as to enable the petitioners to operate the same , in pursuance of conditional order in Crl.M.P.No.65 of 2014 passed by the Honble Court of XIV Additional Special Judge for CBI Cases and any other orders as this Hon'ble court may deem fit and thus render justice.[CRL.MP.NO.243/2018]

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.C.D.JOHNSON 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:-

The petition is filed by the 3rd accused in C.C.No.26/2013 on the file of 13th Additional Special Judge CBI Cases. Since the case has entertained in condition, appeal has been preferred by the petitioner and the same is pending.

2. Meanwhile, the present petition is taken out by the petitioner for return of key of Locker No.339 with key No.14 in the Central Bank of India, Kilpauk Garden Branch, Chennai which was seized by the prosecution during investigation. Since the Locker key and the valuable kept in the locker does not form part of the trial, it is necessary to return the key and permit the petitioner to operate the locker.

3. The learned Special Public Prosecutor was put to notice and in response to the notice, detailed counter has been filed, wherein, it is stated that in view of the statement made by the

prosecution/respondent, the prayer sought by the petitioner may be granted.

4. Accordingly, this petition is allowed and the respondent is hereby directed to return the key on the production of the order copy along with acknowledgment by the petitioner for receipt of the key.

-sd/-
23/01/2018

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 XIII ADDITIONAL SPECIAL
JUDGE CBI CASES, CHENNAI

2 THE XIV ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, CHENNAI

3 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASE, HIGH COURT, MADRAS

4 THE STATE REP BY,
THE DEPUTY SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
CHENNAI.

C.C. to M/S.C.D. JOHNSON Advocate on payment of necessary charges SR.NO.

Order

in
CRL MP.243/2018

in
CRL A.608/2016

Date :23/01/2018

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RD 25/01/2018