

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirtieth day of October Two Thousand Eighteen

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.14290 of 2018

in CRL.A.No.648 of 2013

R.RAJENDRAN

[PETITIONER/APPELLANT]

Vs

THE UNION OF INDIA

[RESPONDENT/COMPLAINANT]

REP. BY THE SUPERINTENDENT OF POLICE,
CBI/ACB, CHENNAI

Petition praying that in the circumstances stated therein the High Court will be pleased to condone the petitioners absence in the XI Additional Special Judge (CBI Cases relating to Banks and financial institution) Chennai on 01.09.2018 in complying with the conditional order passed in M.P.No.1 of 2013 in Crl.A.No.648 of 2013 dated 23.04.2014.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.REGU, 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 has been filed to condone the absence of the petitioner before the trial Court pursuant to the order passed by this Court in Crl.M.P.No.1 of 2013 in Crl.A.No.648 of 2013 dated 23.04.2014.

2. Heard both sides.

3. The learned counsel for the petitioner would submit that this Court while suspending the sentence had directed the petitioner/appellant to appear before the trial Court on the first working day of every month at 10.30 a.m., until further orders. The learned counsel would further submit that 01.09.2018 fell on Saturday and that the petitioner was under impression that the said day was holiday and that he appeared before the Special Judge on 03.09.2018. But the petitioner had been informed that 01.09.2018 was a working day and the case had been called on the day and his absence had been noted on 01.09.2018 and hence, he would seek to condone the absence on 01.09.2018. The petitioner had been appearing before the trial Court in due compliance order on earlier hearings.

4. The learned Special Public Prosecutor for CBI would submit that the petitioner has been appearing regularly on all hearings earlier.

5. Taking into consideration the facts of the case and submissions made by the learned counsels, the absence of the petitioner on 01.09.2018 before the trial Court is condoned. However, the petitioner shall continue to comply with the condition by appearing before the trial court on the first working day of every month at 10.30 a.m., until further orders.

6. This miscellaneous petition is ordered accordingly.

-sd/-
30/10/2018

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 XI ADDITIONAL SPECIAL JUDGE,
(CBI CASES RELATING TO BANKS AND
FINANCIAL INSTITUTIONS),
CHENNAI

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH OF MADRAS, CHENNAI

3 THE SUPERINTENDENT OF POLICE,
CBI/ACB, CHENNAI

+1C.C. to M/S.S.REGU Advocate on payment of necessary charges
SR.NO.20363

WEB COPY

Order
in
CRL MP.No.14290 of 2018
in
CRL.A.No.648 of 2013

Date :30/10/2018

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cm 30/10/2018