

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.22868 of 2018
and
Cr1.M.P.Nos.12732 & 12733 of 2018

Sridhar Subasri ... Petitioner
Vs.

State Rep. by
The Inspector of Police
Central Bureau of Investigation
Bank Securities & Fraud Cell
Bangalore / RC No.5(E)/2007-CBI/BFSC/Bangalore ... Respondent

PRAYER:Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to call for the records and quash the charges framed in C.C.No.3 of 2009 on the file of XI Additional Special Judge for CBI Cases, Chennai.

For Petitioner : Mr.Harshini Jyothiraman

For Respondent : Mr.K.Srinivasan
Spl.P.P. (CBI Cases)

J U D G M E N T

The learned counsel for the petitioner has filed this petition under Section 482 Cr.P.C., to call for the records and quash the charges framed in C.C.No.3 of 2009 on the file of XI Additional Special Judge for CBI Cases, Chennai.

2.The petitioner / A2 has filed the application to quash the charges framed against the petitioner on the file of the XI Additional Judge for CBI Cases, Chennai in C.C.No.3 of 2009.

3.Though the learned counsel for the petitioner raised several grounds in this petition, after some arguments, he has

restricted his prayer only to raise all the grounds before the Trial Court at the time of Trial. The learned counsel would submit that since the petitioner is more than 65 years and he is suffering from ageing ailments, his presence to be dispensed with.

4. Heard the learned Special Public Prosecutor (CBI Cases) and the learned counsel for the petitioner.

5. The learned Special Public Prosecutor would accede to the request of the petitioner to raise all the grounds during the Trial.

6. In view of the limited prayer raised before this court by the petitioner, I am inclined to grant liberty to the petitioner to raise all the grounds at the time of Trial. This Court has not expressed any opinion on merits. However, the regular appearance of the petitioner before the Trial Court is hereby dispensed with. The petitioner shall appear before the Trial Court for receiving copies, framing of charges and for 313 questioning. The learned Magistrate shall insist the appearance of the petitioner for an effective hearing.

7. Accordingly, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
Central Bureau of Investigation
Bank Securities & Fraud Cell
Bangalore / RC No.5(E)/2007-CBI/BFSC/Bangalore

2. The Public Prosecutor
Madras High Court, Chennai.

Cr1.O.P.No.22868 of 2018

SSV (CO)

GMV (28/12/2018)