



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

Wednesday, the Twenty Fourth day of January Two Thousand Eighteen

PRESENT

**The Hon`ble Mr Justice P.N.PRAKASH**

CRL MP (MD) No.229 of 2018  
IN  
CRL A (MD) No.205 of 2008

MANDEEP SINGH

... PETITIONER/PETITIONER/  
APPELLANT

Vs

STATE BY  
THE DEPUTY SUPERINTENDENT OF POLICE,  
CBI/ACB/CHENNAI

... RESPONDENT/RESPONDENT/  
RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to condone the absence of petitioner before the Special Judge for CBI Cases, Madurai on 04.12.2017 as per the order dated 22.12.2008 made in M.P.(MD).No. 2 of 2008 in Crl.A. (MD).No. 205 of 2008

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.V.ILLANCHEZIAN, Advocate for the petitioner and of MR.N.ASHOK KUMAR, Government Advocate (Crl.Side) for the Respondent the court made the following order:-

This petitioner was convicted in C.C.No.9 of 2005 on 26.03.2008 by the Special Court for CBI Cases, Madurai for the offences under Sections 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and was sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo six months rigorous imprisonment for each offence. The petitioner filed Crl.A.(MD)No.205 of 2008 before this Court and this Court in M.P.(MD)No.1 of 2008 in Crl.A.(MD)No.205 of 2008, suspended the sentence on 25.04.2008 and released the petitioner on bail on condition that he should report before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders. The petitioner filed M.P.(MD)No.2 of 2008 for modifying the said condition and accordingly, this Court, by order dated 22.12.2008, further modified the condition to the effect that the petitioner should report before the Trial Court once in two months until further orders.

2. Accordingly, the petitioner was to appear before the Trial Court on 04.12.2017. But, unfortunately, his mother died on



28.11.2017, on account of which, he was not able to appear on 04.12.2017 and, therefore, he has filed the present application for condoning his absence on 04.12.2017. The petitioner has filed an affidavit dated 20.12.2017 setting out the reasons for his failure to appear before the Trial Court on 04.12.2017.

3. Accepting the submission, the absence of the petitioner before the Trial Court on 04.12.2017 stands condoned. Since the petitioner has been appearing before the Trial Court from the year 2008 onwards and that the petitioner is a native of Delhi, it will serve the interest of justice, if, instead of directing the petitioner to appear before the Trial Court here, he may be directed to appear before the Superintendent of Police, CBI (ACB), Flot No.5-B, 1<sup>st</sup> Floor, A&B Wing, CGO Complex, New Delhi-110 003. Accordingly, he shall appear before the Superintendent of Police, CBI (ACB), Flot No.5-B, 1<sup>st</sup> Floor, A&B Wing, CGO Complex, New Delhi-110 003, once in a month i.e., on the first working day of every month at 10.30 a.m., until further orders.

4. This petition is ordered accordingly.

sd/-  
24/01/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SML  
TO

1 THE JUDGE, THE SPECIAL COURT FOR CBI CASES, MADURAI.

2 THE SUPERINTENDENT OF POLICE,  
CBI (ACB), FLOT NO.5-B, 1ST FLOOR,  
A&B WING, CGO COMPLEX, NEW DELHI-110 003.

3 THE DEPUTY SUPERINTENDENT OF POLICE, CBI/ACB/CHENNAI

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.V.ILLANCHEZIAN Advocate SR.No.1274

GJM/RR/CSL/SAR-2-29.1.2018-2P-6C

ORDER  
IN  
CRL MP(MD) No.229 of 2018  
IN  
CRL A(MD) No.205 of 2008  
Date :24/01/2018