



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2018

CORAM:

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THE HONOURABLE MR. JUSTICE P.N. PRAKASHCr1.R.C. (MD) No. 55 of 2018andCr1.M.P. (MD) No. 589 of 2018

S.Sankaralingam : Petitioner / Petitioner / A1

-Vs.-

State through

The Additional Superintendent of Police,

SPE/CBI/ACB/Chennai.

(in RC.No.29(A)/2011)

: Respondent / Respondent / Complainant

Prayer: Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C., to call for the entire records from the lower court and duly set aside the order passed in Cr.M.P.No.2595 of 2016 in C.C.No.1 of 2015 by the learned II Additional Sessions Judge (Special Judge for CBI Cases, Madurai) in his order dated 04.11.2017.

For Petitioner : Mr.S.Niranjana S.Kumar

For Respondent : Mr.N.Nagendran

Special Public Prosecutor for CBI

O R D E R

When this Court was about to dismiss the Criminal Revision Case on merits, the learned counsel appearing for the petitioner sought permission of this Court to withdraw the same and he has also made an endorsement to that effect.

2. In view of the endorsement made by the learned counsel for the petitioner, the Criminal Revision Case is dismissed as withdrawn with liberty to raise all the points before the trial Court after the charges are framed, since there are prima facie materials for the trial Court to frame charges. Consequently, connected Miscellaneous Petition is dismissed.

3. The accused shall cross-examine the witnesses on the date of their examination in chief and there should not be any adjournment as held by the Hon'ble Supreme Court in the case of Vinod Kumar vs. State of Punjab reported in 2015 (1) Scale 542 subject to the right under Section 242 (3) Cr.P.C.. If the accused adopts any dilatory tactics, he can be remanded to custody under Section 309 Cr.P.C. in the light of the law laid down by the Supreme Court in State of U.P. v. Shambu Nath Singh [2001(4)SCC 667]. If



the petitioner absconds, a fresh First Information Report can be registered against him under Section 229-A of the Indian Penal Code.

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/True Copy/

Sd/-
Assistant Registrar(CSI)

Sub-Assistant Registrar

To

1.The Additional Superintendent of Police,
SPE/CBI/ACB/Chennai.

2.The II Additional Sessions Judge, (Special Judge for CBI Cases),
Madurai

3.The Special Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to M/s.Niranjana S.Kumar, Advocate, SR.No.53054

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RL/5C/2P/SV/MMS/SAR1/22/3/2018

Cr1.R.C.(MD)No.55 of 2018

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