

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12738 OF 2018

ORDER:

This Criminal Petition, under Section 439(1)(b) of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-2 seeking verbatim the following relief:-

“to relax the modified condition of Crl.M.P.No.2340 of 2017 on the file on Hon’ble Principal Special Judge for CBI Cases in RC.No.08(A)/2016-CBI/Hyderabad imposed by this Hon’ble Court vide its order dated 08.02.2018 in Crl.P.No.1005 of 2018 to report before DIG, CBI on every alternative Monday i.e., on first and third Monday of every month or may be pleased to modify the condition by permitting the petitioner to appear before CBI office at Shastri Bhavan, Rajaji Nagar, Nungabakam, Chennai-34 once in every month instead of appearing before DIG CBI Hyderabad on every 1st and 3rd Monday of every month.”

2. Heard the learned counsel for the petitioner/A-2, the learned Special Public Prosecutor for C.B.I. Cases for the respondent and perused the record.

3. Learned counsel for the petitioner/A-2 would submit that the petitioner/A-2 is ready to attend before the officials concerned at Chennai and ultimately, prayed to allow this Criminal Petition.

4. Learned Special Public Prosecutor for C.B.I. Cases appearing for the respondent opposed this petition and ultimately, prayed to dismiss this Criminal Petition.

5. As seen from the record, presence of the petitioner/A-2 is required for investigation by the officials concerned at Hyderabad i.e., Central Bureau of Investigation, Hyderabad. The attendance in the subject crime before the officials of C.B.I., Chennai would

not serve the purpose. It is also brought to the notice of this Court that it is a scam of about Rs.11.00 crores. Under these circumstances, voluminous records and number of witnesses are required to be examined. It is quite natural for the Investigating Officers to take time in doing so. The relaxation of the condition imposed would certainly hinder the investigation. The Criminal Petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed.

7. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

Date : 12.12.2018
AMD

DR.JUSTICE SHAMEEM AKTHER



THE HON'BLE DR.JUSTICE SHAMEEM AKTHER



CRIMINAL PETITION No.12738 OF 2018

Date: 12.12.2018

AMD