

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.No.14122/2019 & Crl.MP.Nos.6846 & 6847/2019

Sandhya Verma
3

... Petitioner/A-

Vs.

1.State

Inspector of Police
Central Bureau of Investigation
Special Crime Branch, III Floor
Rajaji Branch, Besant Nagar
Chennai 600 090.

2.Shri N.Janardhana Rao

General Manager/Zonal Manager
Indian Bank, Zonal office, Chennai North
No.55, Ethiraj Salai, Chennai 8

...Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in CC.No.4066/2015 on the file of the Additional Chief Metropolitan Magistrate Court, Egmore, at Allikulam, Chennai and quash the proceedings as against the petitioner herein for offences under section 120-B r/w 420, 468 & 471 IPC.

For Petitioner : Mr.A.Ramesh, Senior Counsel for
M/s.P.Nirmala Devi

For Respondent : Mr.K.Srinivasan, Spl.PP [CBI]

ORDER

This Criminal Original Petition has been filed by the petitioner/A-3 seeking to call for the records relating to CC.No.4066/2015 on the file of the Additional Chief Metropolitan Magistrate Court, Egmore, at Allikulam, Chennai and quash the same,

2 Mr.A.Ramesh, learned Senior Counsel assisted by M/s.P.Nirmala Devi, learned counsel for the petitioner, after some arguments, seeks leave of this Court to withdraw this

Criminal Original Petition for the present and has made an endorsement in the petition to that effect. However, he would submit that the personal appearance of the petitioner before the Trial Court may be dispensed with considering her age and other attending factors.

3 Heard the learned Special Public Prosecutor [CBI] appearing for the respondents/State. He would submit that the petitioner may be directed to appear before the Trial Court as and when her presence is required for the speedy progress of the trial.

4 Taking into consideration, the submission of the learned Senior Counsel appearing for the petitioner, CrI.MP.No.6847/2019 seeking dispensation of the personal appearance of the petitioner is ordered and the presence of the petitioner before the trial court is dispensed with, however the petitioner shall appear during the time of questioning u/s.313 Cr.P.C., at the time of judgment and whenever the trial court insists that her presence is required for the progress of the trial.

5 The petitioner is further directed to give an undertaking in the form of an affidavit that she will be duly represented by a counsel on all hearing dates and the learned counsel representing her will cross examine the prosecution witnesses on the day they are examined in chief. The petitioner shall not dispute the identity of the witnesses. If the petitioner adopts any dilatory tactics, it is open to the Trial Court to insist for her appearance and deal with the petitioner in accordance with the judgment of Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in (2001)4 SCC 667.

6 The Criminal Original Petition stands dismissed as withdrawn. Consequently, CrI.MP.No.6846/2019 stands closed.

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

AP

To

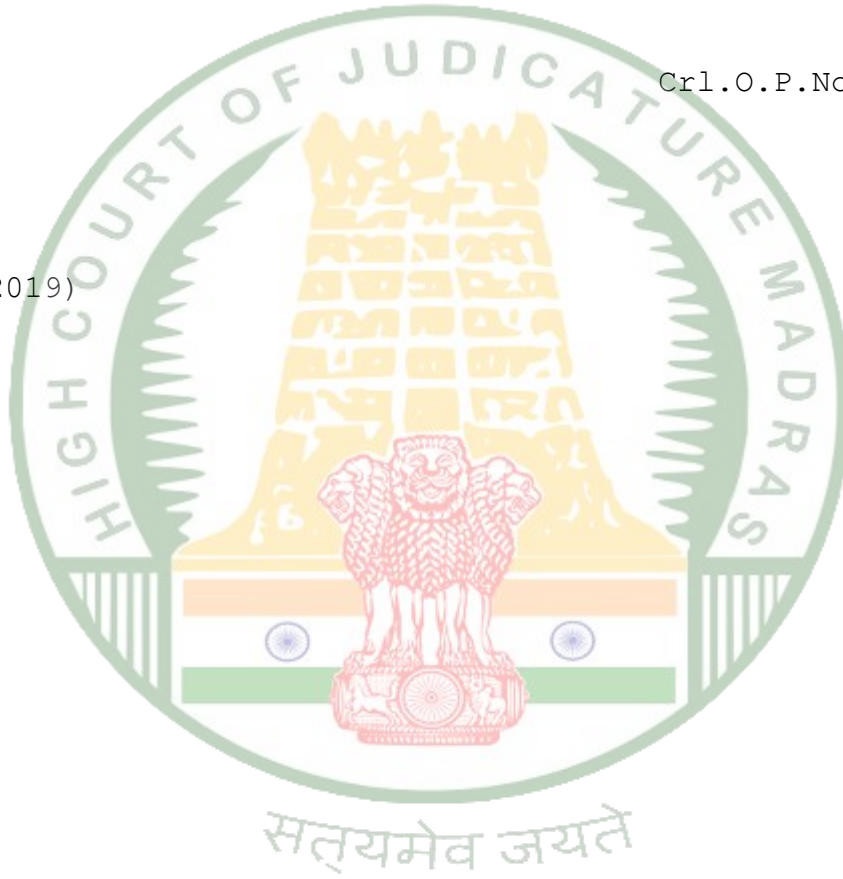
1.The Additional Chief Metropolitan Magistrate Court,
Egmore, at Allikulam, Chennai

2.The Inspector of Police
Central Bureau of Investigation
Special Crime Branch, III Floor
Rajaji Branch, Besant Nagar
Chennai 600 090.

3.The Special Public Prosecutor,
CBI Cases, High Court, Madras.

Cr1.O.P.No.14122/2019

NRJK (CO)
SP (04/09/2019)



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