

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty First day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.11335 of 2019

IN CRL.A.445 of 2017

N.SHANMUGAM

[ PETITIONER ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
CBI/EOW,  
CHENNAI.  
(CR.NO.RC NO.1E/2000)

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to relax the conditional order dated 29.08.2017 imposed on the petitioner in Crl.M.P.No.9313 of 2017 in C.A.No.445/2017 condition that the petitioner shall appear before the XI Additional Special Judge, CBI Cases relating to Banks and Financial Institutions, Chennai on the first working day of every month at 10.30 a.m. Pending disposal of this above Crl.A.No.445 of 2017.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.P.KRISHNAN, Advocate for the petitioner, and of MR.K.SRIVIVASAN, Spl. Public Prosecutor for CBI-cases, on behalf of the Respondent, the court made the following order:-

The above petition is filed seeking to relax the condition imposed by this Court on the petitioner vide order dated 29.08.2017 made in Crl.MP.No.9313/2017 in Crl.A.No.445/2017.

2 This, Court in its order dated 29.08.2017, has suspended the sentence imposed on the petitioner with a direction to report before the XI Additional Special Judge, CBI Cases relating to Banks and Financial Institutions, Chennai, at 10.30 am, on the first working day of every English Calendar month pending the appeal.

3 The learned counsel for the petitioner would submit that the condition was imposed two years earlier and that the Petitioner has been regularly complying with the condition without any default. He would submit that the petitioner is aged about 82 years and suffering from various ailments and due to ailments, he is unable to appear before the concerned Court every month and thereby, he would seek for modification of condition imposed on him. He would also further submit that the petitioner would also appear before the trial Court on the first working day of the coming month.

4 The learned Special Public Prosecutor [CBI Cases] would have no objection for the modification of the condition imposed on the petitioner.

5 Taking into consideration the age and health condition of the petitioner, the condition imposed vide order dated 29.08.2017, is hereby modified and the petitioner shall appear before the Trial Court on the first working day of September 2019 i.e. On 03.09.2019 and thereafter, shall appear once in four months on the first working day of the concerned month at 10.30 a.m., pending Appeal.

6 The petition is ordered accordingly.

-sd/-  
21/08/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE XI ADDITIONAL SPECIAL  
JUDGE, CBI CASES RELATING TO BANKS AND  
FINANCIAL INSTITUTIONS, CHENNAI.

2 THE INSPECTOR OF POLICE,  
CBI/EOW,  
CHENNAI.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 C.C. to M/S.P.KRISHNAN Advocate on payment of necessary charges SR.NO.17400

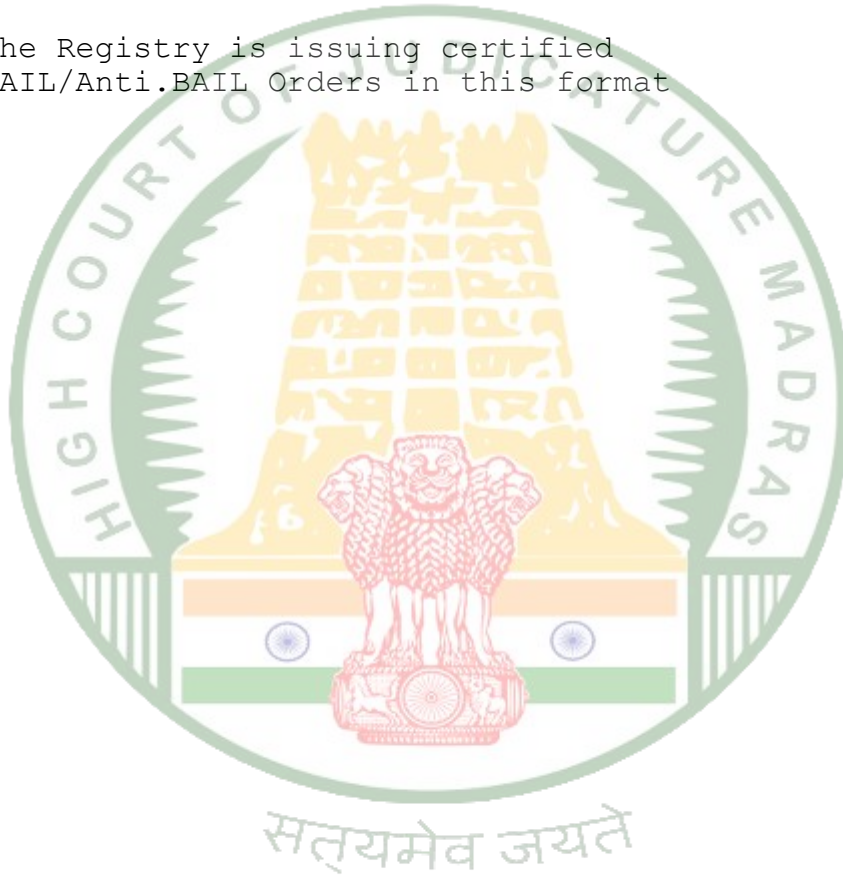
Order

in  
CRL MP.11335/2019  
in  
CRL.A.445/2017

Date :21/08/2019

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TA-26/08/2019



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