

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirtieth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.14038 of 2019

IN CRL.A.NO.289 OF 2010

T.S.SUNDARAM

[PETITIONER]

Vs

STATE REP BY

[RESPONDENT]

THE DEPUTY SUPERINTENDENT OF POLICE,
ORGANISED CRIME UNIT (CHENNAI CITY),
CBCID, CHENNAI.
CR.NO.6/AC/2002.

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition condone the absence of the petitioner/Appellant appearance before the Special Court for Prevention of Corruption Cases, City Civil Court Building, Chennai on 01.10.2019, in terms of the order passed by this Honble Court dated 29.04.2010 in M.P.NO.1 OF 2010 IN C.A.NO.289 OF 2010.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.T.S.GOPALAN AND CO Advocate for the petitioner and of MR.K.PRABAKAR ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This petition has been filed by the petitioner to condone the absence of the petitioner / Appellant from appearing before the Special Court for Prevention of Corruption Cases, City Civil Court Building, Chennai on 01.10.2019 in terms of the order passed by this Court on 29.04.2010 in M.P.No.1 of 2010 in C.A.No.289 of 2010. In addition to other conditions, this Court had directed the petitioner to appear before the Trial Court on the first working day of every alternative month at 10.30 a.m. until further orders.

2.The learned counsel for the petitioner submits that the right leg of the petitioner has been affected with Cellulitis and he has produced the discharge summary dated 02.09.2019 of Kauvery Hospital. The learned counsel further submits that the petitioner is a Senior Citizen, aged about 72 years and is suffering from right leg swelling celluloid and other age related diseases. Due to the health condition, the petitioner is not in a position to appear before the Trial Court on 01.10.2019 and submitted the medical record.

3.In the light of the above fact, this Court grants exemption to the petitioner to appear before the Special Court for Prevention of Corruption Cases, City Civil Court Building, Chennai on 01.10.2019 for one hearing only. Thereafter, the earlier order shall continue. Other conditions of the order dated 29.04.2010 in M.P.No.1 of 2010 in C.A.No.289 shall stand unaltered.

4.Accordingly, this Criminal Miscellaneous petition is disposed of.

-sd/-

30/09/2019

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 SPECIAL COURT FOR
PREVENTION OF CORRUPTION CASES,
CITY CIVIL COURT BUILDING, CHENNAI

2 THE IV ADDITIONAL SESSIONS
JUDGE, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE DEPUTY SUPERINTENDENT OF POLICE,
ORGANISED CRIME UNIT (CHENNAI CITY),
CBCID, CHENNAI. CR.NO.6/AC/2002.

+1 C.C. to M/S.T.S.GOPALAN AND CO Advocate on payment of
necessary charges SR.NO. 48077

WEB COPY
Order
in
CRL MP.14038/2019

IN CRL.A.NO.289 OF 2010

Date :30/09/2019

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RD 30/09/2019