

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of March Two Thousand Nineteen

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.15371 OF 2018

IN CRL.A.NO.671 OF 2011

MADHAIYAN

[PETITIONER / APPELLANT / ACCUSED]

Vs

STATE REP. BY

[RESPONDENT]

THE DEPUTY SUPERINTENDENT OF POLICE,
CBI, SCB, CHENNAI.
CR.NO.RC3(5)/95.

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition imposed by this Honble court while suspending the condition in Crl.M.P.No. 1 of 2011 in C.A.No. 671 of 2011 filed against SC No.1/2008 on the file of the Learned Principal Sessions Judge, Dharmapuri (Special Court of SC and ST) (Prevention of Atrocities), Act 1989 dated 19.07.2012 pending disposal of the above appeal

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.SHANTHAKUMARI, Advocate for the petitioner and of MR.K.SRINIVASAN SPECIAL PUBLIC PROSECUTOR FOR CBI CASES on behalf of the Respondent the court made the following order:-

This petition has been filed to relax the condition imposed on the petitioner in Crl.M.P.No.1 of 2011 in Crl.A.No.671 of 2011 dated 19.07.2012 directing the petitioner to appear before the trial Court on the first working day of every month at 10.30 a.m until further orders.

2.The learned counsel for the petitioner would submit that from the date of suspension of sentence, the petitioner has been complying with the condition imposed by this court in Crl.M.P.No.1 of 2011 in Crl.A.No.671 of 2011 dated 19.07.2012 regularly. He would further submit that the condition in respect of the similarly placed co-accused/appellants have been totally relaxed by this Court in Crl.M.P.Nos.2084 and 2085 of 2016 and 10833 of 2018 in Crl.A.Nos.622 of 2011 and Crl.A.No.671 of 2011 dated 26.02.2016 and 27.08.2018 respectively and therefore, he prayed for relaxation of the said condition.

3.The learned Special Public Prosecutor for CBI Cases would submit that he is yet to get instruction with regard to compliance of condition. However, he would further submit that this Court had relaxed the condition in respect of the co-accused.

4.Taking into consideration of the submissions made by the counsels on either side, the condition imposed by this court in Crl.M.P.No.1 of 2011 in Crl.A.No.671 of 2011 dated 19.07.2012 is relaxed. However, the petitioner shall inform the respondent if there is any change of address, immediately and that the petitioner shall make due arrangement for appearance of the counsels at the time of final hearing of the appeal.

-sd/-
28/03/2019

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 PRINCIPAL SESSIONS JUDGE,
DHARMAPURI [SPECIAL COURT FOR
SCHEDULED CASTES & SCHEDULED TRIBES]
[PREVENTION OF ATROCITIES] ACT, 1989
DHARMAPURI.

2 THE SPECIAL PUBLIC
PROSECUTOR FOR CBI CASES,
HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
CBI, SCB, CHENNAI.

+1C.C. to M/S.S.SHANTHAKUMARI Advocate on payment of necessary
charges SR NO.6424

Order

in
CRL MP.15371/2018
in
CRL.A.671/2011

Date :28/03/2019

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