

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.3809 of 2020

IN CRL A.364/2019

K.VENKATESAN

[PETITIONER/APELLANT]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CBI/SPE/EOW,
CHENNAI.
R.C.NO.10/E/96.

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to relax the condition imposed upon the petitioner that he should appear before the Trial Court once in Three month on the first working day of that month at 10.30 a.m. commencing from January 2020 until further orders in Crl.M.P.No.14989 of 2019 in Crl.A.No.364 of 2019 in order dated 22.10.2019.

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. A.V.SOMASUNDARAM, Advocate for the petitioner, and of MR.K.SRIVIVASAN, Special. 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 22.10.2019 made in Crl.MP.No.14989 of 2019 in Crl.A.No.364/2019.

2 This Court in its order dated 24.06.2019, has suspended the sentence of imprisonment imposed on the petitioner, and while suspending the sentence of imprisonment, this Court taking into consideration the health condition of the petitioner, gave him exemption from reporting before the trial Court for a period of three months and directed the petitioner to report before the Trial court, at 10.30 am, on the first working day of every English Calendar month starting from the first working day of October 2019, pending Appeal.

3 The learned counsel for the petitioner would submit that the Petitioner has been regularly complying with the condition without any default which has modified by this court . He would submit that the petitioner is aged about 66 years and is a Cancer patient and his health condition is further deteriorating and hence he is unable to move or stand without the help of others. Hence, he is unable to appear before the concerned Court once in three months and thereby, he would seek for further modification of condition imposed on him. He would also further submit that the petitioner would not be in a position to 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 22.10.2019, is hereby, further modified and the petitioner shall appear before the Trial Court on the first working day of June-2020 at 10.30 am and thereafter, shall appear once in six months on the first working day of the January and June month at 10.30 a.m., pending Appeal.

6 The petition is ordered accordingly.

-sd/-
24/03/2020

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

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

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TO

1 THE PRINCIPAL SPECIAL JUDGE
FOR CBI CASES, CHENNAI.

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

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

C.C. to M/S. A.V.SOMASUNDARAM Advocate on payment of necessary charges

Order

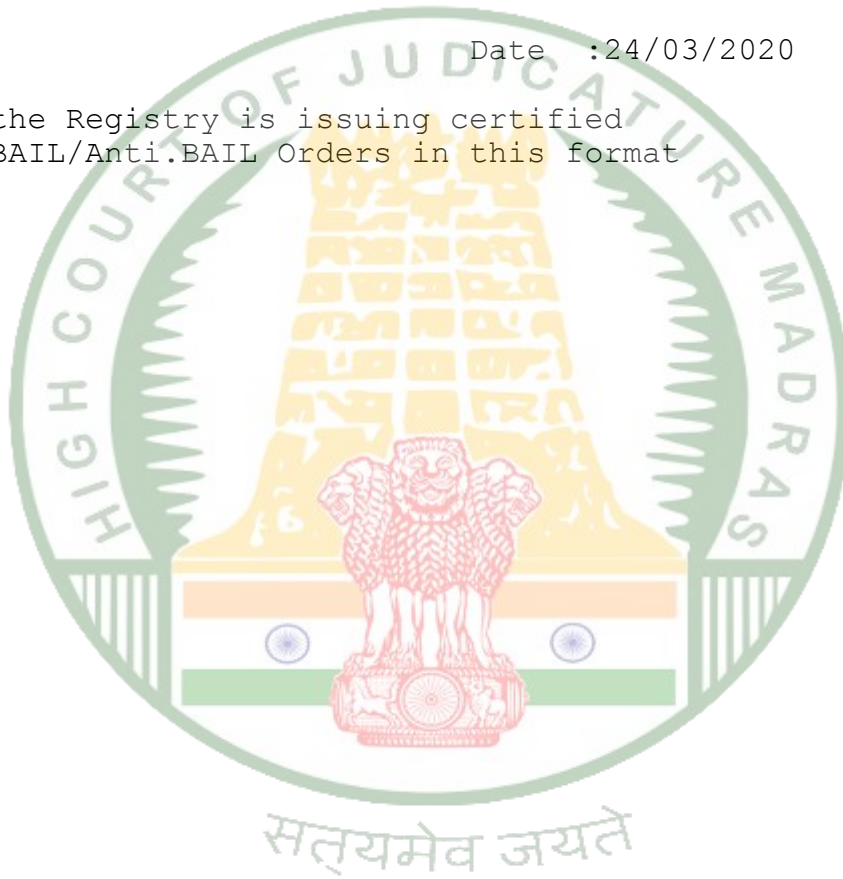
in
CRL MP.3809/2020

in
CRL A.364/2019

Date :24/03/2020

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TA-28/05/2020



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