

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.5341 of 2020

in

Crl.A.No.283 of 2017

C.Aranganayagam,
S/o.Late.Chennaiappan

... Petitioner

Versus

The State of Tamil Nadu,
Represented by The Superintendent of Police,
Vigilance and Anti-Corruption,
Western Range,
Directorate of V & A.C.
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to relax the condition imposed on the petitioner by this Hon'ble Court vide order dated 28.02.2019 passed in Crl.M.P.No.3160 of 2019 in Crl.Appeal.No.283 of 2017, to appear before the Trial Court on the 1st working day of every 3 months once, pending disposal of the above Crl.Appeal.No.283 of 2017.

For Petitioner : Mr.N.Murali Kumar
For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

The petitioner/A1 was convicted by the Trial Court in C.C.No.2 of 2006 by its judgment dated 17.04.2011 and was sentenced for three years. The Trial Court has acquitted A2 to A4 and the petitioner alone was convicted. The petitioner has filed an appeal in Crl.A.No.283 of 2017 and Crl.M.P.No.6788 of 2017 before this Court to set aside the order passed by the Special Judge / X Additional Judge, Chennai in C.C.No.2 of 2006 dated 17.04.2017. This Court by order dated 05.06.2017 in Crl.M.P.No.6788 of 2017, granted bail to the petitioner on certain conditions. Thereafter, the petitioner filed Crl.M.P.No.3160 of 2019, to relax the condition of appearing before the Trial Court on the first working day of every month, this Court vide order dated 28.02.2019, modified the condition directing the petitioner to appear before the Trial Court once in three month. The petitioner regularly appeared before the Trial Court till March 2020 and due to the closure of Court due to pandemic condition he was not able to appear before the Trial Court.

2. The learned counsel for the petitioner submitted that the petitioner is 86 years old senior citizen and he is a diabetic patient, he lost his eye-sight and surviving with 25% of the eye-sight. The petitioner has recently undergone the surgery in his leg due to which he is unable to move and mostly confined in bed. He further submitted that the petitioner is a known personality and he will not evade the jurisdiction and appear before the Court as and when required. He also submitted that even if the appeal taken out of turn he is ready to argue and he shall file necessary representation before the registry seeking earlier listing of appeal.

3. The learned Additional Public Prosecutor filed the status report which almost confirm the submission of the learned counsel for the petitioner. In this case as regards the acquittal of A2 to A4, the State has preferred an Appeal in Crl.A.No.211 of 2018 which is pending. The age of the petitioner and the petitioner is a known personality is not in dispute.

4. Considering the submissions and the status report filed by the State, this Court relax the conditions totally. Accordingly, the Criminal Miscellaneous Petition is allowed.

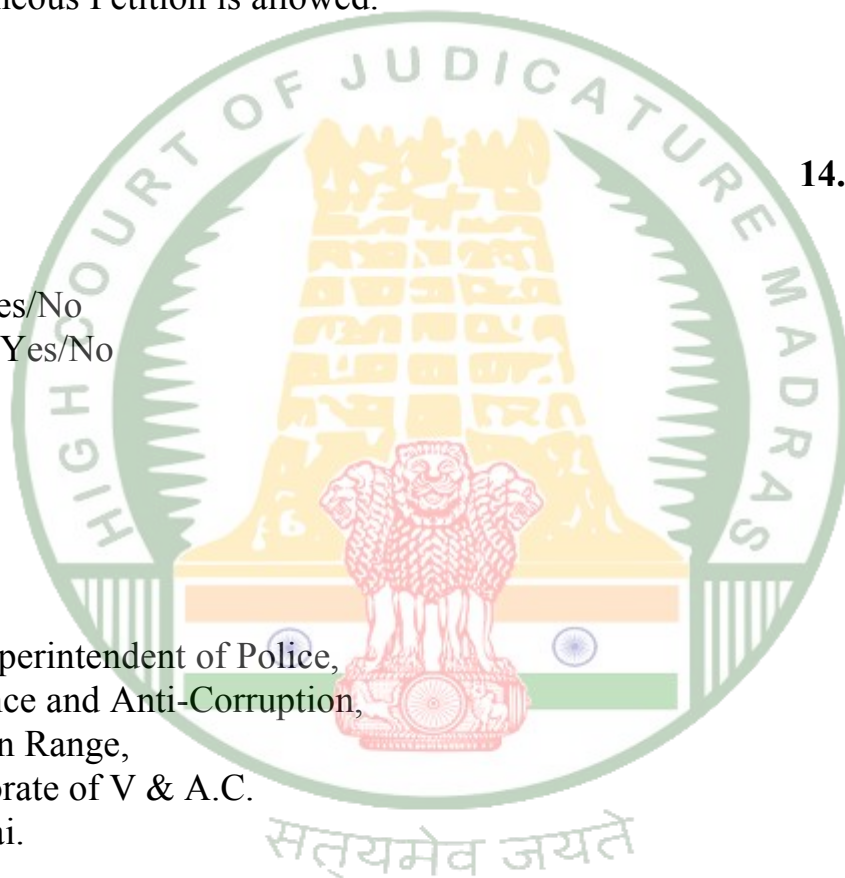
14.09.2020

Index: Yes/No
Internet: Yes/No
rst

To:

1.The Superintendent of Police,
Vigilance and Anti-Corruption,
Western Range,
Directorate of V & A.C.
Chennai.

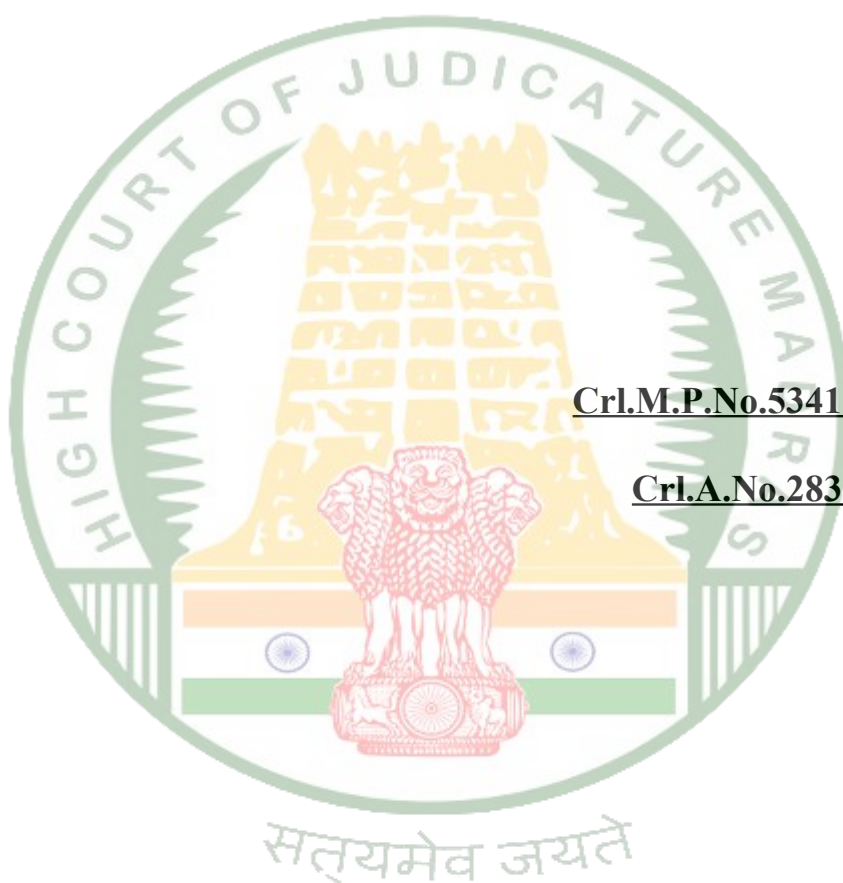
2.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR.J.,
rst



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