

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Third day of December Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.7446 of 2020

IN CRL A.349/2019

R.SOMAYAJI

[PETITIONER]

Vs

STATE BY

[RESPONDENT]

INSPECTOR OF POLICE,
SP, CBI, EOW/ACB, CHENNAI,
RCMA1 6(A)/1996, 7(E)/1996,
8(E)/1996, 9(E)/1996,
10(E)/1996 AND 33(A)/1997.

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the conditions i.e. the petitioner shall report the trial court 1st working day of every month 10.30 am imposed in Crl.M.P.No.7868 of 2019 in C.A.No.439/2019 order dated 20.6.2019.

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

This Court, by order dated 20.06.2019, suspended the sentence and released the petitioner on bail, on condition that he should report before the trial Court at 10.30 a.m. on the first working day of every English calender month. This condition was further modified by this Court, by order dated 17.09.2019, in Crl.M.P.No.13267 of 2019 to the effect that the petitioner was directed to report before the trial Court once in four months on every first working day of that month at 10.30 a.m. This petition has been filed for modifying the above order.

2. Heard Mr.Sunder Mohan, learned counsel for the petitioner and Mr.K.Srinivasan, Special Public Prosecutor for CBI cases.

3. On instructions, Mr.Srinivasan submitted that the petitioner has reported before the trial Court in November 2019, March 2020 and November 2020. Learned counsel for the petitioner submitted that the petitioner is stationed in Bangalore and is aged about 72 years and suffers from co-morbidities. Therefore, on account of COVID-19 pandemic, the petitioner is unable to come to Chennai for complying

with the aforesaid order. In support of this contention, the petitioner submitted medical records.

4. In view of the above, the condition imposed by this Court in Crl.M.P.No.13267 of 2019 dated 17.09.2019 is modified to the effect that, the petitioner shall report before the Inspector of Police, CBI, Banking Security & Fraud Branch (BS & FB), 2nd Floor, CBI Complex, 36 Bellary Road, Bangalore 560 032 once in two months on every first working day of that month at 10.30 a.m. commencing from January 2021.

With the above modification, this petition is ordered.

-sd/-

03/12/2020

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 VIII ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, CITY CIVIL COURT,
CHENNAI

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

3 INSPECTOR OF POLICE,
SP, CBI, EOW/ACB, CHENNAI.

4 THE INSPECTOR OF POLICE
CBI, BS & FB, 2ND FLOOR, CBI COMPLEX,
36 BELLARY ROAD, BANGLORE 560 032.

C.C. to M/S.SUNDER MOHAN Advocate on payment of necessary charges

WEB COPY

Order
in
CRL MP.7446/2020
in
CRL A.349/2019

Date :03/12/2020

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RVR 11/12/2020

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