



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Third day of September Two Thousand and Twenty

PRESENT

The Hon'ble Mr Justice B.PUGALENDHI

CRL MP(MD) No.4254 of 2020

IN

CRL A(MD) No.190 of 2019

S.P.SHENBAGAMOORTHY

... PETITIONER/ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
CBI, ACB, CHENNAI
RC/MAI/ A0031

... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to relax the condition, imposed against the above named petitioner / Accused and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.DEVASENA, Advocate for the petitioner and of MR.S.VIJAYAN, Special Public Prosecutor for CBI cases, on behalf of the Respondent, the court made the following order:-

This Court, vide order dated 27.04.2019, while admitting the appeal, suspended the sentence on condition that the petitioner shall appear before the learned II Additional Sessions Judge for CBI Cases, Madurai at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the appeal.

2. Now, the petitioner has filed the present petition to relax the said condition stating that he is now aged about 78 years and he is also suffering from various ailments, viz., diabetic, hypertension along with coronary heart disease.

3. It is needless to say that the condition imposed on the petitioner /accused to report before the trial Court once in a month, is to ensure the availability of the petitioner/accused for the trial of the appeal. Therefore, the condition imposed by this Court



on 27.04.2019 cannot be relaxed. Further, the reasons assigned by the petitioner/accused is not sufficient to relax the condition. Therefore, this petition is dismissed.

sd/-
03/09/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE II ADDITIONAL SESSIONS JUDGE FOR CBI CASES,
MADRURAI.
2. THE INSPECTOR OF POLICE,
CBI:ACB, CHENNAI
3. THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADRURAI BENCH OF MADRAS HIGH COURT,
MADRURAI.

ORDER
IN
CRL MP(MD) No.4254 of 2020 IN
CRL A(MD) No.190 of 2019
Date :03/09/2020

OGY
SRS/ VR/ SAR-I/ 08.09.2020/ 2P/4C