

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Third day of March Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.2498 of 2021

in CRL.A.No.533 of 2019

M.KAILASAM

[APPELLANT/ACCUSED]

Vs

THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
SPE/CBI/ACB/CHENNAI.
RC.NO.MA1-0014/2009

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To condone the absence of the petitioner on 2nd November 2020 in reporting in Crl.A.No.533/2019 order dated 05.09.2019 before the Learned XI Additional Judge for CBI, Chennai In M.P.No.11735 / 2019 and consequently permit the petitioner to report before the XI Additional Judge for CBI, Chennai.

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. K.RAJASEKARAN, 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:-

The Criminal Miscellaneous Petition has been filed, seeking to condone the absence of the petitioner in complying with the condition imposed by this Court in Crl.M.P.No.11735 of 2019 dated 05.09.2019 in Crl.A.No.533 of 2019, directing the petitioner to appear before the XI Additional Judge for CBI Cases, Chennai, on the first working day of every three months.

2. The learned Counsel for the petitioner would submit that this Court had granted suspension of sentence by order dated 05.09.2019 in Crl.M.P.No.11735 of 2019 directing the petitioner to appear before the trial Judge on the first working day of every three months. He would submit that the petitioner is aged 70 years and residing at Cuddalore. However, he was all along regularly complying with the conditions till January 2020. Thereafter, due to

National wide lock down, the petitioner could not appear before the trial Judge during 2nd April 2020 and thereafter, due to travelling restrictions, the petitioner was unable to appear before the trial Court during November 2020 and thereby, the present petition has been filed seeking to condone the absence of the petitioner during November 2020 and the petitioner may be permitted to continue complying with the condition.

3. The learned Special Public Prosecutor for CBI cases would submit that the petitioner was earlier regularly appearing before the Court. However, he did not appear before the Court during November 2020.

4. Taking into consideration of the above facts and submissions, this Court is satisfied with the reasons stated in the affidavit filed in support of this petition. The absence of the petitioner during the Month of November 2020 is condoned and the petitioner is permitted to continue complying with the condition as directed by this Court in Crl.M.P.No.11735 of 2019 dated 05.09.2019 in Crl.A.No.533 of 2019, starting from the first working day of May 2021.

5. Accordingly, this petition is ordered.

-sd/-
03/03/2021

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 XI ADDITIONAL JUDGE
FOR CBI CASES, CHENNAI.

2 THE XI ADDITIONAL JUDGE COURT,
CHENNAI,
(CBI CASES RELATING TO BANKS AND
FINANCIAL INSTITUTIONS)

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
SPE/CBI/ACB/CHENNAI.

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

+2 C.C. to M/S. K.RAJASEKARAN Advocate on payment of necessary
charges SR.NO.2753

Order

in
CRL MP.2498/2021
in
CRL A.533/2019

Date :03/03/2021

From 7.2.2001 the Registry is issuing certified
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TA-11/03/2021



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