

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2021

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.1724 of 2021

in

Crl.A.No.580 of 2016

E.Sekar

... Petitioner/Appellant Accused No.9

Vs.

The Inspector of Police
CBI/BOW, Chennai
Cr.No.RC8/E/CBI/EOW

...Respondent/Respondent/Complainant

Prayer :- Criminal Miscellaneous Petition filed under Section 482 Cr.P.C., to modify the bail condition that the petitioner shall report before the trial Court at 10.30 a.m. once in a month i.e. First working day of every month, imposed in Crl.M.P.No.7937 of 2016 in C.A.No.580 of 2016 on 23.08.2016, on the file of this Hon'ble Court.

For Petitioner : Mr.K.V.Sridharan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI cases

ORDER

This petition has been seeking to modify the condition imposed by this Court in Crl.M.P.No.7937 of 2016 in C.A.No.580 of 2016 dated 23.08.2016 directing the petitioner to appear before the trial Court on the first working day of every month at 10.30 a.m. until further orders.

2. The learned counsel for the petitioner would submit that on the earlier occasion, it was stated that the petitioner was unable to be present before the Court on 01.10.2018 due to illness and this Court by order dated 11.10.2018 had condoned the absence and directed the petitioner to appear before the Court as per order dated 23.08.2016 and the the petitioner was regularly complying with the

condition. Thereafter, due to Corona, the petitioner was unable to comply with the conditions and he was also admitted for treatment in the Department of Medical Oncology, Apollo, for Cancer between 12th November 2020 to 15th November 2020 following which, he was advised to be in bed rest and thereby, the petitioner had not appeared before the Court. Thereafter, the trial Court had directed the petitioner to appear before the Court on 02.11.2020 and 01.12.2020 and since, the petitioner was again admitted in the hospital between 1st December 2020 to 2nd December 2020, he was unable to appear before the Court on all those days. He would submit that the absence of the petitioner may be condoned and the condition imposed by this Court in Crl.M.P.No.7937 of 2016 dated 23.08.2016 may be modified since the petitioner was regularly appearing till 02.03.2020.

3. Mr.K.Srinivasan, Special Public Prosecutor for CBI Cases appearing for the respondent police would submit that barring the date 01.10.2018, the petitioner was regularly appearing before the Court from 01.09.2016. However, during Covid he did not appear and that the medical records show that he was admitted in the hospital.

4. In view of the above submissions, the condition imposed on the petitioner in Crl.M.P.No.7937 of 2016 in C.A.No.580 of 2016 dated 23.08.2016 is modified to that the effect that the petitioner shall appear before the trial Court once in every three months on the first working day of the month at 10.30 a.m. starting from April 2021, until further orders. The absence of the petitioner on the earlier dates is also condoned.

-sd/-
18/02/2021

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

TRUE COPY

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

TO

1 THE XI ADDITIONAL SESSIONS JUDGE
(SPECIAL JUDGE FOR CBI CASES RELATIG
TO BANKING AND FINANCIAL INSTITUTIONS),
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

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

4 THE INSPECTOR OF POLICE
CBI/EOW, CHENNAI.

+1 C.C. to M/S.K.V.SRIDHARAN Advocate on payment of necessary
charges SR.No.1914

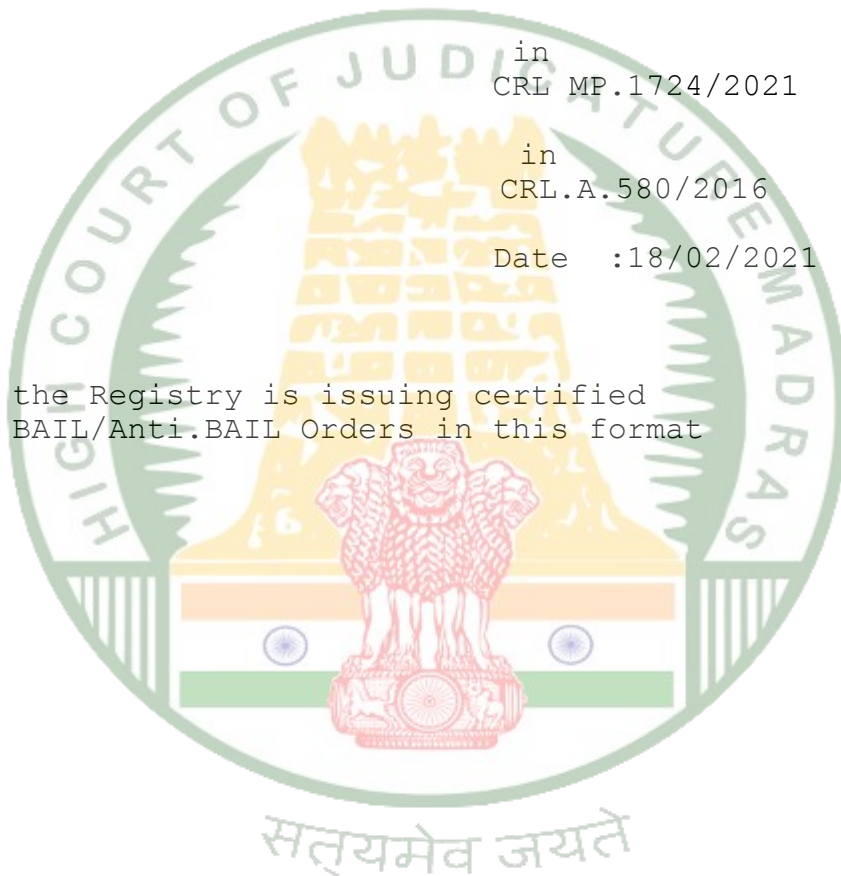
Order

in
CRL MP.1724/2021

in
CRL.A.580/2016

Date :18/02/2021

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