



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Ninth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL MISCELLANEOUS PETITION No.7304 of 2021

IN

CRL A.126/2018

T.S.R.VASUDEVAN

[PETITIONER]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CBI, CHENNAI

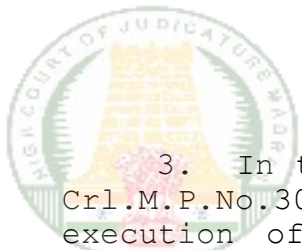
[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to condone the absence of reporting of the petitioner on 05.04.2021 before XI Additional Special Judge (CBI Cases relating to Banks and Financial Institutions) Chennai in Crl.MP.No.3042/2018 in Crl.A.No.126/2018 order dated 16.03.2018.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.C.S.S.PILLAI, 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 Criminal Miscellaneous Petition has been filed to condone the absence of reporting of the petitioner on 05.04.2021 before the learned XI Additional Special Judge (CBI Cases relating to Banks and Financial Institutions), Chennai, in Crl.M.P.No. 3042 of 2018 in Crl.A.No. 126 of 2018, dated 16.03.2018.

2. The petitioner/appellant/A2 was convicted by the XI Additional Special Judge for CBI Cases, Chennai, in C.C.No.12 of 2005 dated 23.02.2018 for the offences punishable under Sections 120-B r/w Sections 420, 419, 467, 468 and 471 IPC to undergo 4 years rigorous imprisonment and to pay a sum of Rs.10,00,000/- was imposed as fine amount, in default to pay the fine to undergo 1 year simple imprisonment.



3. In the meanwhile, the appellant/A2 had filed the petition in Crl.M.P.No.3042 of 2018 in Crl.A.No.126 of 2018 to suspend the execution of the sentence passed against the appellant/A2 by the learned XI Addl. Special Judge for CBI Cases, Chennai in C.C.No.12 of 2005, dated 23.02.2018 and release him on bail pending disposal of the Criminal Appeal. After perusing the records, this Court allowed the petition in Crl.M.P.No.3042 of 2018, by order dated 16.03.2018, the petitioner is directed to be enlarged on bail on condition that he shall execute a bond for a sum of Rs.5,00,000/- with two sureties each for a like sum to the satisfaction of the learned XI Additional Special Judge for CBI Cases, Chennai, and on further condition that the petitioner shall appear before the said Court on the first Monday of every English Calendar month at 10.30 a.m. until further orders.

4. The learned counsel for the petitioner submitted that the petitioner/A2 has been complying the aforesaid condition imposed by the learned XI Addl. Special Judge for CBI Case, Chennai, for the past three years without fail. The petitioner lastly reported before the learned Trial Judge on 01.03.2021 after which the petitioner has to report before the learned Trial Judge on 05.04.2021, but the petitioner was affected by COVID-19 and he was admitted in Billroth Hospital in Chennai as inpatient for two weeks. Hence, the petitioner could not appear before the Trial Court and not able to comply with the aforesaid conditions before the learned Trial Judge on 05.04.2021. The petitioner was 61 year old and he is suffering from many ailments and living with his old aged wife and no other person is there to look after the petitioner and hence, he seeks to condone the absence of reporting of the petitioner on 05.04.2021.

5. The learned Special Public Prosecutor for CBI Cases appearing for the respondent submitted that the petitioner/A2 has been complied with the condition imposed by the Trial Court in C.C.No.12 of 2005 in Crime No.RCMA1/2003/A/0015.

6. Considering the above facts and circumstances of the case, this Court is of the view that the prayer sought for by the petitioner in this petition, the absence of reporting of the petitioner on 05.04.2021 before the learned XI Additional Special Judge (CBI Cases relating to Banks and Financial Institutions), Chennai, is hereby condoned. Further, the petitioner/A2 is directed to report before the XI Additional Special Judge for (CBI Cases relating to Banks and Financial Institutions), Chennai, on the first Monday of every English Calendar month at 10.30 a.m. until further orders.



7. Withe the above direction, the Criminal Miscellaneous Petition is ordered.

WEB COPY

-sd/-

09/08/2021

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 XI ADDITIONAL SPECIAL JUDGE
FOR CBI CASES, CHENNAI

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

3 THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
CBI, CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 XI ADDITIONAL SPECIAL JUDGE
(CBI CASES RELATING TO BANKS AND FINANCIAL
INSTITUTIONS), CHENNAI

C.C. to M/S.C.S.S.PILLAI Advocate on payment of necessary charges SR.8271

Order
in
CRL MP.7304/2021
in
CRL A.126/2018

Date :09/08/2021

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RVR 13/08/2021