



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.7332 of 2021

CRL.A.No.546 of 2018

1 B.RAMESH
2 B.SURESH
3 S.LAKSHMI

[3rd PETITIONER/3rd APPELLANT]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CBI/SPE/ACB
CHENNAI.

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the conditions imposed by this Hon'ble Court in Crl.MP.No.11994/2018 in Crl.A.546/2018 dated 27.09.2018 that the petitioners shall report before the XI Additional Sessions Judge and Special Judge for CBI Cases (Banking and Financial Institutional Fraud) at 10.30a.m. once in a month, i.e. on the first working day of every month.

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.R.VIJAYARAGHAVEN, Advocate for the petitioner and of MR.K.SRINIVASAN, Special Public Prosecutor (CBI Cases) on behalf of the Respondents the court made the following order:-

This Miscellaneous Petition has been filed to modify the conditions, imposed by this Hon'ble High Court in Crl. M.P. No.11994 of 2018 in Crl. A. No.546 of 2018 dated 27.09.2018 that the petitioners shall report before the XI Additional Sessions Judge and Special Judge for CBI cases (Banking and Financial Institutional Fraud) at 10.30 a.m. once in a month, i.e. on the first working day of every month.



2. The learned counsel for the petitioner would submit that this Court, by its order dated 27.09.2018 in CrI. M.P.No.11994 of 2018 granted bail to the petitioners on condition that the petitioners shall report before the XI Additional Sessions Judge and Special Judge for CBI Cases, (Banking and Financial Institutional Fraud) at 10.30 a.m. once in a month, i.e. first working day of every month, starting from November 2018.

3. It has further been submitted that the 3rd petitioner is a permanent resident of Mysore and even before Covid-19, she used to come only from Mysore to comply with the condition. However, in the final report filed by the respondent police, her residence was shown as that of her brother's residence address at Flat No.4, Face Apartment, 35, 3rd Main Road, Raghava Nagar, Madipakkam, Chennai and further, the 3rd petitioner who is a Senior Citizen aged about 60 years is unable to travel from Mysore to Chennai. The 2nd petitioner is also moving out of Chennai quite often due to our business transactions. Hence we all find it very difficult for us to come down to Chennai every month to appear before CBI Court to comply the order of this Court. However, we are regularly complying with the condition of this Court as of now. Hence, considering the difficulty of the petitioners, this Court may be pleased to modify the condition passed by this Court.

4. On a perusal of the record, the reasons stated by the petitioners to modify the condition is not acceptable by this Court. Hence, this Court is not inclined to modify the condition as ordered by this Court in CrI. M.P. No.11994 of 2018 in CrI. A. No.546 of 2018 dated 27.09.2018.

5. In view of the above, this Criminal Miscellaneous Petition is dismissed.

-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 THE XI, ADDITIONAL SESSIONS JUDGE AND SPECIAL JUDGE
FOR CBI CASES, [FOR BANKING AND FINANCIAL
INSTITUTIONS] CHENNAI.



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

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

C.C. to M/S.R.VIJAYARAGHAVEN Advocate on payment of necessary
charges

Order
in
CRL MP.7332/2021
in
CRL.A.No.546/2018
Date :09/08/2021

From 7.2.2001 the Registry is issuing certified
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CSK 25/08/2021