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Crl.O.P.Nos.20994 & 20995 of 2021

Crl.O.P.Nos.20994 & 20995 of 2021
and Crl.O.P.Nos.2947 & 2948 of 2017
and Crl.M.P.Nos.11396 & 11397 of 2021

G. CHANDRASEKHARAN, J.

This Court while disposing Crl.O.P.Nos.20994 & 20995 of 2021, directed the trial Court to proceed with the trial in C.C.Nos.18 & 3 of 2012, within a period of three months from the date of receipt of copy of the order. Order was passed on 16.11.2021. Now, learned IX Additional Special Judge for CBI cases, Chennai, stating that due to various petitions filed by the accused before this Court and Hon'ble Supreme Court, intervening Covid-19, the trial could not be completed. After the order passed in aforesaid Criminal Original petitions, there was suspension of physical hearing in Subordinate Courts. Non Bailable Warrants were pending against A1 and A2. These reasons have contributed to not disposing the case as directed by this Court on 16.11.2021.

2.It is further submitted that out of 70 witnesses only 3 witnesses had been examined and remaining 67 witnesses have to be examined. Taking into note, the reasons stated by the learned IX Additional Special Judge for CBI cases, Chennai, this Court is inclined to extend further period of three months for completion of trial.



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3. Trial Court is directed to take effective measures to ensure the presence of the accused. If the accused deliberately remains absent and NBW is ordered against the accused, respondent is directed to execute the NBW by arresting the accused for enforcing his presence for facing the trial. In that event, trial Court is directed to ensure that, bail is not easily granted to the accused arrested on NBW. With this direction, a further period of four months is granted for the disposal of the case in C.C.Nos.18 of 2012 on the file of the learned IX Additional Special Judge for CBI cases, Chennai.

28.04.2022

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