



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.11133 of 2021

IN CRL.O.P.No.13373 of 2020

1 G.R.SURESH
2 MANISH SARATH HUDDAR
3 AMARESH
4 MURUGAN
5 SANTHOSH KUTTAN
6 SELVAKUMAR JOSEPH

[PETITIONERS]

Vs

1 STATE OF TAMIL NADU
THE SUB INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, BANK FRAUD TEAM,
EGMORE, CHENNAI-600 008.

[RESPONDENTS]

2 STANDARD CHARTERED BANK

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to dispense with the presence of the petitioners in C.C.No. 2507 of 2017 before the Hon`ble Court of Special Metropolitan Magistrate CCB and CBCID, Egmore, Chennai, pending disposal of the present quash petition.

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 S.S.SESHABRI, Advocate for the Petitioners and of MR.A.DAMODARAN, Additional public Prosecutor on behalf of the Respondent the court made the following order:-

The petitioners, who are A4 to A9, are employed in Standard Chartered Bank. They have already moved a quash petition along with miscellaneous petition before this Court in Crl.O.P.No.13373/2020 and Crl.M.P.No.5192 of 2020, this Court, by order dated 01.09.2020, issued notice to the second respondent viz., Standard Chartered bank, 19, Rajaji Salai, Chennai - 600 001 in Crl.O.P.No.13373 of 2020 and granted interim stay in Crl.M.P.No.5192 of 2020.



2. Thereafter, the petitioners are appearing before the Lower Court. The case is being periodically adjourned for serving of summons on A1 to A3. The petitioners have stated that without any progress in the case, they have been made to appear before the trial Court for the purpose of showing attendance. He further submitted that for the offence, which they have not committed, they are facing prosecution.

3. The learned Additional Public Prosecutor on verification submits that summons are yet to be served to A1 to A3 and hence fresh summons to be issued as regards A1 to A3.

4. In view of same, the Court is inclined to dispense with the appearance of the petitioners before the lower Court. The petitioners to appear before the lower Court whenever their presence is necessary at the stage of receiving the copies, initial questioning, charge framing, answering 313 question and for receiving the judgment. Further, the petitioners to file an affidavit before the lower Court informing that they will not dispute their identity, object or question with regard to the evidence recorded in their absence and their counsel will proceed with the trial. They will not cause any reason for delay of the case. On receiving such affidavit, the trial Court to dispense with their presence as such and ask them to appear on the date whenever the trial Court physically directs further appearance.

-sd/-
29/10/2021

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 SPECIAL METROPOLITAN MAGISTRATE,
CCB & CBCID, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION].

3 THE SUB INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
BANK FRAUD TEAM, EGMORE, CHENNAI-600 008.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S S.S. SESHABRI Advocate on payment of necessary
charges SR.NO.12188

Order

in
CRL MP.11133/2021
in
CRL OP.13373/2020

Date :29/10/2021

From 7.2.2001 the Registry is issuing certified
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JPA 17/11/2021