



Crl.M.P.No.12550 of 2021
in
Crl.A.482 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM:

THE HON'BLE MR.JUSTICE V. BHARATHIDASAN

Crl.M.P.No.12550 of 2021

in

Crl.A.No.482 of 2021

Shanmugam

... Petitioner

Versus

The Inspector of Police,
CBI/ACB/Chennai,
(RC 16/A/2008 of CBI/ACB,
Chennai.)

...Respondent

PRAYER: This Criminal Miscellaneous Petition has been filed under Section 482 of Cr.P.C. to exempt the petitioner from exempting from surrender in C.C.No.8 of 2009 before the II Additional District Judge(CBI Cases), Coimbatore for the month of December 2021 and January 2022 as per order dated 12.10.2021 made in Crl.M.P.No.10608 of 2021 in Crl.A.No.482 of 2021.

For Petitioner : Mr. B. Kumarasamy

For Respondents : Mr.K. Srinivasan,
Special Public Prosecutor



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ORDER

This Criminal Miscellaneous Petition has been filed seeking modification of the condition imposed by this Court on 12.10.2021 in Crl.M.P.No.10608 of 2021 in Crl.A.No.482 of 2021.

2. The learned counsel for the petitioner would submit that this Court by an order dated 12.10.2021 suspended the sentence of imprisonment with some conditions and one of the conditions is that the petitioner should appear before the Trial Court on the first working day of every month till the disposal of the Criminal Appeal. Thereafter, the petitioner has executed sureties and also appeared before the Trial Court in the month of November 2021 as directed by this Court. Subsequently, on 17.11.2021, the petitioner sustained fracture in his leg and admitted in the hospital. Now, he has undergone surgery and the Doctor advised him to take rest for two months and hence, he is not in a position to appear before the Trial Court as directed by this Court. Therefore, he seeks exemption for two months from appearing before the Trial Court.

3. Heard the learned Special Public Prosecutor appearing for the respondent.

4. Considering the submission made by the learned counsel, the



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appearance of the petitioner before the Trial Court is exempted for two months, i.e. December 2021 and January 2022. Thereafter, the petitioner shall appear before the II Additional District Judge (CBI Cases), Coimbatore on the first working day of every month from the month of February 2022, regularly, till the disposal of the Criminal Appeal.

5. With the above directions, this Criminal Miscellaneous Petition is disposed of.

01.12.2021

Index: Yes/No
Internet: Yes/No
mrp

To

1. The Inspector of Police,
CBI/ACB/Chennai,
Namakkal District.
2. The II Additional District Judge (CBI Cases),
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.



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V. BHARATHIDASAN, J.

mrp

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