



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL MP(MD) No.6668 of 2021
in
Crl.A.(MD)No.29 of 2019

C.R.SUBRAMANIAN

... PETITIONER/ APPELLANT/
2nd ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CBI, ACB, CHENNAI.
(CRIME NO.RC 19/A/2008)

... RESPONDENT/ RESPONDENT/
COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed in Crl.MP.(MD).No.1159 of 2019 in CA.(MD).No.29 of 2019 dt.4.3.2019,

PRAYER IN Crl.A.(MD)No.29 of 2019:

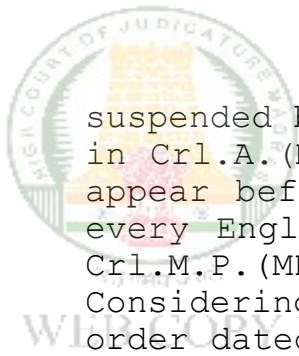
To call for records in C.C.No.3 of 2009 on the file of the II Additional District Court for CBI Cases, Madurai and set aside the conviction passed by the judgment dated 24.12.2018 passed and thus render justice.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.C.D.JOHNSON, Advocate for the petitioner and of M/s.L.VICTORIA GOWRI, Assistant Solicitor General on behalf of the Respondent, the court made the following order:-

Heard the learned counsel appearing for the petitioner and the learned Assistant Solicitor General appearing for the respondent CBI.

2.The petitioner seeks modification of the condition imposed on him.

3.The petitioner's counsel states that the petitioner was convicted and sentenced in C.C.No.3 of 2009, on the file of the II Additional District Court for CBI Cases, Madurai. The sentence was



suspended by this Court on 04.03.2019 in Crl.M.P.(MD)No.1159 of 2019 in Crl.A.(MD)No.29 of 2019 and that, the petitioner was directed to appear before the jurisdictional Court on the first working day of every English Calendar month. Thereafter, the petitioner has filed Crl.M.P.(MD)No.6538 of 2020 seeking to modify the said condition. Considering health condition of the petitioner, this Court, vide order dated 07.12.2020, relaxed the condition till the end of March, 2021 and directed the petitioner to appear before the Special Court concerned on the first working day of April 2021. Now, the petitioner has come out with the present Miscellaneous Petition seeking to modify the condition imposed in Crl.M.P.(MD)No.1159 of 2019, for taking treatment to the disease viz., Metastatic Carcinoma Rectum.

4.It is the submission made by Mrs.L.Victoria Gowri, learned Assistant Solicitor General appearing for the respondent CBI that, it is true the petitioner C.R.Subramanian is suffering from Metastatic Carcinoma Rectum and it is very difficult for him to move from one place to another place.

5.The above said submission made by the learned Assistant Solicitor General appearing for the respondent CBI, is recorded.

6.On verification of records, it appears that on earlier occasion also, while at the time of disposing Crl.M.P.(MD)No.6538 of 2020 in Crl.M.P.(MD)No.1159 of 2019 in Crl.A.(MD)No.29 of 2019, by considering the health condition of the petitioner, this Court relaxed the condition till the end of March 2021. Now also, the same situation prevails. Hence, I am of the considered opinion that it is appropriate to relax the condition for further period of three months. Accordingly, it is relaxed till the end of January 2022. The petitioner shall appear before the Special Court concerned on the first working day of February 2022.

7.With this modification, this Criminal Miscellaneous Petition is partly allowed.

sd/-
29/10/2021

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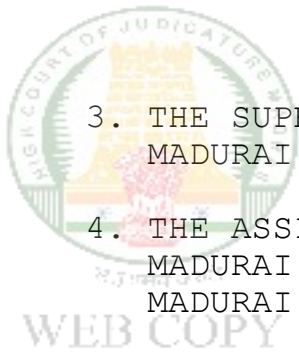
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDGE,
II ADDITIONAL DISTRICT COURT FOR CBI CASES,
MADURAI.

2. THE INSPECTOR OF POLICE
CBI, ACB, CHENNAI.

<https://hcservices.ecourts.gov.in/hcservices/>



3. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
4. THE ASSISTANT SOLICITOR GENERAL,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL MP(MD) No.6668 of 2021 in

CrI.A.(MD)No.29 of 2019

Date :29/10/2021

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MS/PN/SAR-1/08.11.2021/3P.5C