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Crl.M.P.No.10703 of 2023
in Crl.A.No.157 of 2022

Crl.M.P.No.10703 of 2023
in
Crl.A.No.157 of 2022

M.SUNDAR, J.
and
R.SAKTHIVEL. J.

[Order of the Court was made by M.SUNDAR, J.]

This order will now dispose of the captioned ‘Criminal Miscellaneous Petition’ [‘Crl.M.P.’ for the sake of brevity, convenience and clarity].

2. This order has to be read in conjunction with and in continuation of earlier proceedings made in captioned Crl.M.P. on 26.07.2023 which reads as follows:



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M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

[Order of this Court was made by M.SUNDAR, J.,]

Mr.R.Sankarasubbu, learned counsel on record for petitioner and
Mr.R.Karthikeyan, learned Special Public Prosecutor for respondent
[National Investigation Agency] are before us.

2. Adverting to earlier orders dated 22.04.2022 and 05.08.2022 made
by a Hon'ble predecessor Division Bench, learned counsel for petitioner
submits that one of the conditions for bail i.e., condition that the petitioner
shall appear before the Special Court daily at 10.30 a.m. may please be
relaxed. Learned counsel submits that this condition is being complied until
now by the petitioner.

3. Learned Prosecutor requests for a short accommodation to get
instructions and revert to this Court. Request acceded to.

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4. List one week hence. List on 02.08.2023.

[M.S.,J.] [R.S.V.,J.]
26.07.2023

mk

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3. Today, Mr.S.Mathivanan, learned counsel representing the counsel on record for petitioner and Mr.R.Karthikeyan, learned Special Public Prosecutor for NIA [National Investigation Agency] i.e., respondent are before us.

4. Adverting to aforementioned earlier proceedings dated 26.07.2023 more particularly paragraph 3 thereat, learned Special Public Prosecutor submits that he has since obtained instructions and the instructions are to the effect that petitioner has duly complied with the condition to appear and sign before the Special Court at Poonamallee daily at 10.30 a.m.

5. This Court is informed that other bail conditions have been complied and the petitioner has been enlarged on bail.

6. Taking note of the facts that bail was granted by this Court [another Hon'ble Co-ordinate Bench] on 22.04.2022, more than a year ago, one condition was modified on 05.08.2022 and also taking note of the fact that bail conditions have been duly complied with by the petitioner ever since he was enlarged on bail almost eight months ago, i.e., more than 245 days ago, we



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deem it appropriate to accede to the prayer for relaxation in the captioned
Crl.M.P.

7. For the purpose of specificity, we make it clear that as regards the condition set out in paragraph 10(ii)(c) of order dated 22.04.2022 in Crl.A.No.157 of 2022 which reads as follows:

'10.

(ii)

(c) Suresh Rajan (A2) shall appear before the Special Court daily at 10.30 a.m. and sign until further orders.'

the same is relaxed/modified to the extent that the petitioner shall now appear before the Special Court at Poonamallee at 10.30 a.m. and sign on the first working day of every English Calendar month.

8. To be noted, one of the bail conditions granted vide order dated 22.04.2022 was modified by a subsequent order dated 05.08.2022 made by another Hon'ble Co-ordinate Division Bench. The other bail conditions which are now obtaining vide aforementioned 22.04.2022 bail order as modified on 05.08.2022 will continue to operate.



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9. As regards the relaxed / modified condition now put in place today by this order, if for any reason the petitioner moves a petition under Section 317 Cr.P.C. on the first working day of a English Calendar month, the learned Judge of the Special Court at Poonamallee, i.e., Special Court under the National Investigation Agency Act 2008 (Sessions Court for Exclusive Trial of Bomb Blast Cases), Chennai at Poonamallee shall consider the same on its own merits and in accordance with law untrammelled by this order.

10. Captioned Crl.M.P. disposed of in the aforesaid manner.

(M.S.,J.) (R.S.V.,J.)
08.08.2023

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in
Crl.A.No.157 of 2022