



Crl.O.P.No.21697 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.21697, 21740 & 21746 of 2023

and

Crl.M.P.Nos.15054, 15055, 15050, 15046, 15047 and 15049 of 2023

C.R.Ramamoorthy

...Petitioner/A2 (in all Crl.O.P's)

Vs.

The Superintendent of Police,
Central Bureau of Investigation,
Economic Offences Wing,
Rajaji Bhawan, 3rd floor,
Besant Nagar, Chennai - 600 090.

(Ref.RC.5/E/2015-CBI/EOW/Chennai dated 29.09.2015)

...Respondent (in all Crl.O.P's)

Prayer in Crl.O.P.No.21697 of 2023 : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleased to call for the records in C.C.No.2499 of 2017 on the file of the Additional Chief Metropolitan Magistrate, Egmore, Chennai for alleged offences under Sections 120B r/w 420, 468 & 471 of IPC and quash the said C.C.No.2499 of 2017 as against the petitioner.



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Prayer in Crl.O.P.No.21740 of 2023 : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in C.C.No.2498 of 2017 on the file of the Additional Chief Metropolitan Magistrate, Egmore, Chennai for alleged offences under Sections 120B r/w 420, 468 & 471 of IPC and quash the said C.C.No.2498 of 2017 as against the petitioner.

Prayer in Crl.O.P.No.21746 of 2023 : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in C.C.No.2500 of 2017 on the file of the Additional Chief Metropolitan Magistrate, Egmore, Chennai for alleged offences under Sections 120B r/w 420, 468 & 471 of IPC and quash the said C.C.No.2500 of 2017 as against the petitioner.

(in all Crl.O.P's)

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr.K.Srinivasan
Senior Advocate
Special Public Prosecutor

COMMON ORDER

This Criminal Original Petitions have been filed seeking to call for the records in C.C.Nos.2499, 2498 and 2500 of 2017 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai for alleged offences under Sections 120B r/w 420, 468 & 471 of IPC and quash the same as against the petitioner.



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2. Learned counsel appearing for the petitioner submitted that though there are several arguable points available in this case, he is not pressing the application. He further submitted that the petitioner is aged about 74 years and he is under dialysis and thereby, he would only pray that since the entire case of the prosecution is borne out by the documents, the presence of the petitioner before the Trial Court may be dispensed with unless otherwise required by the trial Court.

3. Taking into consideration the submission made by the learned counsel for the petitioner, the presence of the petitioner before the trial Court shall be dispensed with on condition that he shall be present before the trial Court on initial questioning, reply to charges and at the time of framing charges and questioning under Section 313 of Cr.P.C., and at the time of passing judgment and whenever insisted upon by the trial court.

4. The petitioner is further directed to give an undertaking in the form of affidavit that he will be duly represented by a counsel on all hearing dates and that the Counsel representing him will cross examine the prosecution



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witnesses on the same day they are examined in chief or on any subsequent date fixed by the trial Judge. The petitioner shall not dispute the identity of the witnesses. The petitioner shall appear before the Court in the event his presence is insisted by the trial Judge for the purpose of identification or progress in trial.

5. In view of the submission made by the learned counsel appearing for the petitioner, this Criminal Original Petition stands dismissed as not pressed with the above directions. However, the petitioners is at liberty to raise all the legal grounds before the trial Court. Consequently, connected miscellaneous petitions are closed.

16.02.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
rjr



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A.D.JAGADISH CHANDIRA, J.

rjr

To

- 1.The Superintendent of Police,
Central Bureau of Investigation,
Economic Offences Wing,
Rajaji Bhawan, 3rd floor,
Besant Nagar, Chennai - 600 090.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.Nos.21697, 21740 and 21746 of 2023
and
Crl.M.P.Nos.15054, 15055, 15050, 15046,
15047 and 15049 of 2023

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