

ITEM NO.6

Court 2 (Video Conferencing)

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Crl.) No.2078/2021

(Arising out of impugned final judgment and order dated 22-01-2021 in CRLOP No. 31249/2019 passed by the High Court of Judicature at Madras)

SURESH BABU

Petitioner(s)

VERSUS

THE STATE REP. ITS INSPECTOR OF POLICE

Respondent(s)

(FOR ADMISSION and I.R. and IA No.33636/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.33634/2021-EXEMPTION FROM FILING O.T. & IA NO.36022/2021-APPLN. SEEKING PERMISSION TO FILE ADDL. DOCUMENTS)

Date : 10-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. S. Gowthaman, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through Video Conferencing.

Heard the learned counsel appearing for the petitioner and perused the record.

The Petitioner is accused No.3 in F.I.R. No.163/2019. An application for anticipatory bail was preferred by the petitioner, along with Accused Nos. 2 and 4 before the High Court of Judicature at Madras.

We find that the High Court vide Order dated 9-12-2019 granted interim bail to the petitioner herein and Accused No.2, subject to the condition that the Accused No.2 deposits a sum of Rs.1,00,00,000/- (Rupees One Crore only).

By the same Order, it appears that the High Court granted anticipatory bail to Accused No.4, on the condition that he shall execute a bond of Rs.10,000/- with two sureties, each for a like amount.

Subsequently, the High Court vide impugned order dated 22-1-2021 has dismissed the anticipatory application of the petitioner - herein, on the ground that Accused No. 4 - Bharanidharan, failed to comply with the condition imposed by the said High Court to deposit a sum of Rs.100,00,000/- (Rupees One Crore only).

Learned counsel appearing for the petitioner states that his client has no role assigned in the FIR and rather he is a common friend of Accused No.4 and complainant and further that no condition was imposed on him when interim bail was granted vide Order dated 9-12-2019 by the High Court.

He has further stated that High Court has misidentified the party on whom the condition was imposed in the impugned order and any default that may have taken place is not attributable to him as no condition had been imposed upon him by the High Court.

In view of the above, learned counsel seeks permission to file a clarification application before the High Court, which is granted.

As and when the said application is filed by the petitioner, we request the High Court to dispose of the same within a period of six weeks from the date of filing such application.

In the meantime, no coercive steps including arrest shall be taken against the petitioner.

The Special leave Petition is disposed of in the afore-stated terms.

Pending applications filed in the matter also stand disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(RAJ RANI NEGI)
DY. REGISTRAR

