

SESSIONS CASE NO. 38 OF 2009.

Order below Exh.1281

1) The present application indicates irregularity on the part of the Jail Authorities in forwarding an application intended for the Court. It is urged by Shri Vatsa, the learned advocate for the accused concerned that the application contained serious allegations which would have prejudiced the interest of the accused. It is stated that however, no action has been taken till date.

2) It emerges from the reply of the Jail Authorities which is on the record of the present proceedings that the original application was tendered not to the Court but to the Jail Authorities but such application admittedly received by the Jail Authorities is not available for the consideration of the Court in light of the fact that the same is not traceable today.

3) It is unfortunate that more than a year has elapsed and therefore, this court is not in a position to issue any direction or pass any orders on merits. However, it is conceded by the learned advocate for the defence that what was complained of has not recurred and was videography of the undertrial prisoner. However, it is agreed that subsequent thereto there does not appear to be any repetition. The reply of the Jail Authorities also indicates that they shall ensure that there shall be no such repetition. In the event, I pass the following order:-

Order

This application is disposed of as rejected on account of the same being infructuous. However, the

Jail Authorities are directed to ensure that there is no repetition of the instances complained about and it is also made clear that any correspondence required to be produced before the Court shall be produced before the Court, and failing to produce such correspondence shall invite severe consequential orders.

With these observations, this application is ordered to stand disposed of.

Yaadi to the Jail Authorities accordingly.

Dictated and pronounced in the open Court on this 26th day of November, 2014.

City Sessions Court,
Ahmedabad.
Date: 26/11/2014

(Pranav Bhadramukh Desai)
Special Designated Judge,
Designated Court for serial
Bombblast cases, Ahmedabad.
Unique I.D.Code No.GJ00004