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Cr1.A.No. 739 OF 2002

ITEM No.5

Court No.11

SECTION IIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CRLMP.NO.11223/2003 In Criminal Appeal No. 739/2002

CENTRAL BUREAU OF INVESTIGATION

Appellant (s)

VERSUS

SELVI J. JAYALALITHA & ORS.

Respondent (s)

( With petition for permission to pass the final judgment by the court below and formal disposal of the appeal and Office Report )

Date : 19/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL  
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Appellant (s)

Mr. P. Parmeswaran,Adv.

For Respondent (s)

Sri.K.K. Venugopal,SrAdv.

Mr.K.V.Viswanathan,Adv.

Mr.B.Ragunath, Adv.

Mr.N.Jothi, Adv.

Mr. K.V. Venkataraman,Adv.

Mr.U.R.Lalit, SRAdv.

Mr. K. Ram Kumar,Adv.

Mrs. Anjani Aiyagari,Adv.

Mr. Sanjay R. Hegde,Adv.

Mr. Subramonium Prasad.,Adv.

Mr. R.N. Keshwani,Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeal is allowed in terms of the signed order.

(Sheetal Dhingra)(Kanwal Singh)

Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.739 OF 2002

O R D E R

Heard the parties.

By the impugned order during pendency of the writ appeal an interim order was passed directing that further proceeding before stage of recording evidence shall go on but recording of evidence shall remain stayed. While issuing notice on 16-2-2001, this Court stayed operation of the impugned order and directed the trial court to proceed with the trial, but pronouncement of

final judgment was stayed.

Prayer has been made on behalf of the parties that the trial court should be directed to pronounce judgment as pursuant to order of this Court evidence has already been recorded and arguments have been heard. Both the parties agree that in view of the aforesaid facts, the impugned order be set aside, without going into merits of the case. We are of the view that the prayer is reasonable and must be granted.

Accordingly, the appeal is allowed, impugned order is set aside and trial court is directed to pronounce judgment.

CRLMP No. 11223/2003 is also disposed of.

.....J.  
(B.N. AGRAWAL)

.....J.  
(DR.AR.LAKSHMANAN)

New Delhi  
January 19, 2004.