

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

CrI.MP No. 7835/10 In
Petition(s) for Special Leave to Appeal (CrI) No(s).3078/2010

(From the judgement and order dated 11/02/2010 in CRLOP No.2134/2010
of The HIGH COURT OF MADRAS)

MOHAMMED EASAN @ HASAN Petitioner(s)

VERSUS

INSPECTOR OF POLICE, CHENNAI Respondent(s)
(for bail and office report)

Date: 11/08/2010 This Petition was mentioned today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Sheikh Israr Ahmad,Adv.
Mr. Aman Khan,Adv.
Mr. Arun K. Sinha,Adv.
Mr. Sumit Sinha,Adv.

For Respondent(s) Mr. S. Thananjayan,Adv.

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

Leave granted. The appeal is allowed in terms of
the signed order.

(Ganga Thakur) (Juginder Kaur)
PS to Registrar Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CrI. Misc. Petition No. 7835 of 2010
IN

CRIMINAL APPEAL NO. OF 2010
(Arising out of SLP(CrI.) No.3078/10)

MOHAMMED EASAN @ HASAN Appellant (s)

VERSUS

INSPECTOR OF POLICE, CHENNAI Respondent(s)

O R D E R

Leave granted.

This appeal arises out of the order passed by the Madras High Court on 11th February, 2010, in CrI.

Original Petition No. 2134/10, rejecting the appellant's prayer for grant of bail mainly on the ground that it had been brought to its notice that all the witnesses had been examined, except the Investigating Officer. It is on such consideration that the High Court held that such being the position, there was no need to give directions to expedite the trial.

However, after the said order was passed, an application was made on behalf of the prosecution under 311 Cr.P.C., which was allowed, whereby 23 other witnesses are to be examined on behalf of the prosecution. The appellant has already spent eight years in custody during trial.

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How long the examination of the other 23 witnesses will take, is anybody's guess.

Accordingly, we allow the appeal and direct that the appellant be released on bail to the satisfaction of the trial court on such terms and conditions as may be felt necessary to ensure that the appellant has no opportunity of absconding. We have been shown the order passed by the High Court in the case of P. Balakrishna, one of the co-accused. Similar terms may also be imposed while granting bail to the appellant herein.

Let a copy of the order passed by the High Court granting bail to P. Balakrishnan be kept on record.

The appeal is accordingly allowed.

.....J.

(ALTAMAS KABIR)

.....J.
(A.K. PATNAIK)

New Delhi,
August 11, 2010.