

ITEM NO.53

COURT NO.1

SECTION IIA

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).5134/2005

(From the judgement and order dated 03/10/2005 in CRLR No. 538/2005 of The HIGH COURT OF MADRAS)

M. NATARAJAN

Petitioner(s)

VERSUS

STATE

Respondent(s)

(With appln(s) for stay and office report)(For final disposal)

WITH

SLP(Crl) NO. 5135 of 2005 - With appln. for ex-parte stay & O/report

Date: 03/12/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE P.P. NAOLEKAR  
HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. K. Subramanian, Sr.Adv.

Mr. E.C. Agrawala, Adv.  
Mr. Rishi Agrawala, Adv.  
Mr. Gaurav Goel, Adv.  
Mr. Amit Sharma, Adv.  
Ms. Neha Aggarwal, Adv.

For Respondent(s) Mr. Vikas Singh, ASG.

Ms. Ranjana Narain, Adv.  
Mr. BK. Prasad, Adv.  
Mr. P. Parmeswaran, Adv.

UPON hearing counsel the Court made the following  
ORDER

List the matters in March,2008 for final disposal.

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(S. Thapar)  
PS to Registrar

(Veera Verma)  
Court Master

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ITEM NO.53A

COURT NO.1

SECTION IIA

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2635 of 2006

(From the judgement and order dated 15/03/2006 in CRLRC No.1703/2005 of The HIGH COURT OF MADRAS)

YOGESWARAN BALAKRISHNAN

Petitioner(s)

VERSUS

STATE

Respondent(s)

(With appln(s) for interim directions and office report)  
(For final disposal)

Date: 03/12/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE P.P. NAOLEKAR  
HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. S. Aravind, Adv.  
Mr. Rakesh K. Sharma, Adv.

For Respondent(s) Mr. Vikas Singh, ASG.  
Ms. Ranjana Narain, Adv.  
Mr. BK. Prasad, Adv.  
Mr. P. Parmeswaran, Adv.

UPON hearing counsel the Court made the following  
ORDER

SLP(Crl.No. 2635 of 2006

The petitioner is one of the accused in a criminal case pending before the  
Special Judge for C.B.I. cases, Chennai. The petitioner had moved an  
application dated 8.11.2005 for return of his passport. The application was  
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rejected by the Special Judge on 5.12.2005. The revision preferred by the  
petitioner was rejected by the High Court on 15.3.2006 on the ground that the  
trial in the case was over and the judgment is likely to be delivered soon.

This Court had stayed the delivery of the final judgment vide order dated  
7th November, 2005. That order continues to be in force. Therefore, the ground  
for rejection stated by the High Court no longer exist.

In view of it, we dispose of the Special Leave Petition reserving liberty to  
the petitioner to file a fresh application before the trial court for release of his  
passport and the Court may pass appropriate orders on merits. The interim stay  
granted by this Court staying the delivery of judgment shall not stand in the way  
of disposing of such application as and when filed.

The Special Leave Petition is disposed of accordingly.

(S. Thapar)  
PS to Registrar

(Veera Verma)  
Court Master