

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6397/2005

(From the judgement and order dated 09/12/2005 in CRLOP No. 10271/2005 of The HIGH COURT OF
MADRAS)

S.A. RAJA

Petitioner(s)

VERSUS

STATE OF TAMIL NADU

Respondent(s)

(With appln(s) for bail and permission to file additional documents and exemption from filing
O.T. and

permission to file additional documents and office report)

Date: 11/05/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Mr. Ashok Desai, Sr. Adv.

Mr. P.S. Narasimha, Adv..

Mr. M. Gireesh Kumar, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

For Respondent(s) Mr. L. Nageswara Rao, Sr. Adv,

Mr. Raghavendra S. Srivatsa, Adv.

Mr. Subramonium Prasad, Adv.

UPON hearing counsel the Court made the following

O R D E R

2006 pending Heard learned counsel for the parties. In Sessions Case No. 62 of

before the First Additional Sessions Judge, Tiruvlveli, the petitioner seeks bail

Tirunelveli By order dated 3.2.2006, this Court had directed the Sessions Judge,

to continue with the trial and PWs 35-40 may be examined at first instance and the State

Government will report to this Court about the action taken in the matter.

: 2 :

Now, we are told by the counsel for the State that a letter written by the wife of the deceased was treated as writ petition by the High Court and the trial was stayed by the

Division Bench of the Madras High Court. We think that the Division Bench of the

Madras High Court was probably not informed of the fact that this Court had directed the examination of PWs 35-40 at the earliest.

In the facts and circumstances, we vacate the stay passed by the Division Bench of the Madras High Court in W.P. No. 10184 of 2006 titled Smt. Kamala Aruna Vs. The State of Tamil Nadu & Ors. and direct the Sessions Court that the examination of PWs 37-40 may be completed at the earliest, preferably within two weeks from the date of receipt of this order. As regards the identification in Court, the petitioner is ready to waive h

is

identification.

(Pardeep Kumar)

Court Master

(Veera Verma)

Court Master