



ITEM NO.30

COURT NO.5

SECTION II-C

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 (CrI.) No(s). 2028/2022

(Arising out of impugned final judgment and order dated 01-12-2021 in CRLP No. 22511/2021 passed by the High Court Of Judicature At Madras)

C.N. SIVA SHANKARAN

Petitioner(s)

VERSUS

THE STATE REP. BY DSP-CB-CID-OCU-II, CHENNAI

Respondent(s)

(FOR ADMISSION and I.R. and IA No.31888/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.31889/2022-EXEMPTION FROM FILING O.T. and IA No.31886/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.31890/2022-APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT)

Date : 08-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Siddharth Luthra, Sr. Adv.
Ms. Swati Jindal, AOR
Mr. G. Nagarajan, Adv.
Mr. G. Darshan, Adv.
Ms. Shivali Chaudhary, Adv.
Mr. Amanvay Anandvardhan, Adv.
Mr. Poornachandiram R., Adv.
Mr. Chirag Madan, Adv.
Mr. Hardik Rupal, Adv.
Mr. Thangathurai, Adv.
Ms. Prapti Allag, Adv.

For Respondent(s) Mr. V. Krishnamurthy, Sr. Adv./AAG
Dr. Joseph Aristotle S., AOR
Mr. Nupur Sharma, Adv.
Mr. Shobhit Dwivedi, Adv.
Mr. Sanjeev Kumar Mahara, Adv.
Ms. Jessica Bhardwaj, Adv.

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



Petitioner is accused of committing offences under Sections 354, 363, 365 and 366 read with 109 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and under Section 8, 10, 12 read with 17 of the Protection of Children from Sexual Offences Act, 2012. The 1st bail application was rejected on 17.08.2021, chargesheet was filed thereafter.

By the impugned order, the High Court rejected the request made by the petitioner for grant of bail.

Mr. Siddharth Luthra, learned senior counsel appearing for the petitioner, submitted that the petitioner has been in custody for more than 250 days. The petitioner is 74 years old and is suffering from serious heart ailments. He has also suffered paralytic stroke.

Mr. V. Krishnamurthy, learned Additional Advocate General appearing for the State, has opposed the bail application by submitting that the petitioner is involved in similar offences. He has been granted default bail in two cases. Mr. Krishnamurthy, learned counsel submitted that the petitioner is an influential person and there is a likelihood that he might tamper with evidence and influence the witnesses, if he is granted bail.

We are of the opinion that the petitioner should be released on bail and is directed to be released on



bail subject to the satisfaction of the trial Court as well as subject to the following conditions :

(i) The petitioner is directed to ensure that the 'You Tube' and other social media platforms are not used for dissuading persons to approach the authorities to file complaints.

(ii) In the event of the prosecution being aware of any attempt made by the petitioner to tamper with the evidence or influencing the witnesses, an application may be filed before this Court for modification of this order.

(iii) The petitioner shall not enter the premises of "Sushil Hari International Residential School" Kelambakkam, Tamil Nadu.

The Special Leave Petition stands disposed of. Pending application(s), if any, shall stand disposed of.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Court Master