

## IN THE SUPREME COURT OF INDIA

## CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.896 OF 2010  
(Arising out of SLP(Crl.)No.1552 OF 2010)

INSPECTOR OF POLICE

.....APPELLANT

VERSUS

G.KARUNA

.....RESPONDENT

O R D E R

Leave granted.

This appeal is directed against order dated 08.02.2010 passed by the learned Single Judge of Madras High Court in Criminal O.P. No.23919 of 2009 whereby he directed that the respondent be enlarged on bail on his executing a bond for a sum of Rs.25,000/- with two Government servant sureties each for the like sum to the satisfaction of XXIII Metropolitan Magistrate, Saidapet, Chennai.

A perusal of the record shows that on earlier occasion, the respondent had moved the High Court for grant of bail but his application was rejected. He then filed S.L.P.(Crl.)No.4973 of 2009, which was dismissed by this Court on 22.07.2009. It appears that attention of the learned Single Judge of the High Court, who passed the impugned order was not drawn to the fact that the application filed by the respondent for grant of bail was rejected by the High Court and the special leave petition was dismissed by this Court.

Be that as it may, in our view, the impugned order is liable

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to be set aside because the same was passed by the learned Single Judge without taking cognizance of the fact that similar prayer made by the appellant was declined by the co-ordinate Bench of the High Court and the special leave petition was dismissed by this Court.

In the result, the appeal is allowed and the impugned order is set aside.

The trial Court is directed to expedite the disposal of the  
main case pending before it.

.....J.  
( G.S.SINGHVI )

.....J.  
( ASOK KUMAR GANGULY )

NEW DELHI;  
APRIL 26, 2010.

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ITEM NO.57

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

Petition(s) for Special Leave to Appeal (Crl) No(s).1552/2010

(From the judgement and order dated 08/02/2010 in CRLOP No.  
23919/2009 of The HIGH COURT OF MADRAS)

INSPECTOR OF POLICE

Petitioner(s)

VERSUS

G.KARUNA

Respondent(s)

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

Date: 26/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.R.Shanmugasundram, Sr.Adv.  
Mr. S. Thananjayan,Adv.

For Respondent(s) Mr.A.T.M.Rangaramanujam, Sr.Adv.  
Mr.G.Sivabalamurugan, Adv.  
Mr.Anis Mohammad, Adv.  
Mr.Stalin Mani, Adv.  
Mr. L.K. Pandey,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.

The trial Court is directed to expedite the disposal of the  
main case pending before it.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master

( Signed order is placed on the file )