

NON-REPORTABLE
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NOS. 204-205 OF 2017
[@ SPECIAL LEAVE PETITION (CRL.) NO. 7088-7089 OF 2012]
R.ELAVAZHAGAN @ BABU Appellant(s)

VERSUS

PANKAJAM VILWANATHAN & ORS. Respondent(s)
J U D G M E N T
KURIAN, J.

1. Leave granted.
2. The appellant has mainly two grievances- i)Though the appellant was on regular bail, the High Court, in the impugned order, has directed cancellation of the anticipatory bail and custodial interrogation; ii)There is a direction in the impugned order for further investigation.
3. It is an undisputed position that the appellant has been on regular bail while the High Court passed the impugned order.
4. In that view of the matter, in our view, nothing survives in this appeal since the appellant cannot, in any way, stall the further investigation, as ordered by the High Court in the impugned order.

2
5. Therefore, these appeals are disposed of making it clear that the appellant shall cooperate with the investigation and in case, there is non-cooperation on the part of the appellant, it will be open to the Investigating Officer to seek for cancellation of the regular bail.

.....J.
[KURIAN JOSEPH]
.....J.
[A. M. KHANWILKAR]

New Delhi;
January 31, 2017.

3
ITEM NO.4 COURT NO.7 SECTION IIC
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).
7088-7089/2012
(Arising out of impugned final judgment and order dated 27/07/2012
in MP No. 1/2009 27/07/2012 in CRLOP No. 24182/2009 27/07/2012 in
CRLOP No. 26663/2007 passed by the High Court Of Madras)
R.ELAVAZHAGAN @ BABU Petitioner(s)

VERSUS

PANKAJAM VILWANATHAN & ORS. Respondent(s)
(with application for exemption from filing O.T. and stay and office report)

Date : 31/01/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE A.M. KHANWILKAR
For Petitioner(s) Mr. Ratnakar Dash, Sr. Adv.
Mr. G. Sivabalamurugan, Adv.

Ms. Vandana, Adv.
For Respondent(s) Ms. Mahalakshmi Pavani, Sr. Adv.
Mr. P. V. Yogeswaran, Adv.
Ms. Shiva Vijaya Kumar, Adv.
Mr. V. Susheetha, Adv.
Mr. M. Yogesh Kanna, Adv.
Ms. Nithya, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed
non-reportable Judgment

Pending interlocutory applications, if any, stand disposed
of.

(Jayant Kumar Arora)

Court Master (Renu Diwan)

Assistant Registrar

(Signed non-reportable Judgment is placed on the file)