

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.

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.



JUDGMENT