

SUPREME COURT OF INDIA

Sri Jayendra Saraswathi Swamigal

Vs.

State of T.N.

CrI.A.No.44 of 2005

(R.C.Lahoti and G.P.Mathur JJ.)

26.10.2005

JUDGMENT

G. P. Mathur, J.

(Criminal M.P. Nos. 540, 543 and 11224 of 2005 In Criminal Appeal No. 44 of 2005)

1. Soon after the petitioner was granted bail by this Court on 10.1.2005, an application was moved on 12.1.2005 being Criminal Misc. Petition no. 540 of 2005 in Criminal Appeal No.44 of 2005 on behalf of the State of Tamil Nadu praying that the petitioner Jayendra Saraswathy should not reside in Tamil Nadu, Karnataka, Andhra Pradesh and U.T. Pondicherry during the course of investigation and trial on the ground that "he would be in a position to influence or threaten the witnesses." Subsequently, on 3.10.2005, Criminal Misc. Petition No.11224 of 2005 has been filed to withdraw the aforesaid application. It is interesting to note that the withdrawal application has been filed long after notice had been issued in the present transfer petition on 6.5.2005. The application is accordingly dismissed as withdrawn.

2. Criminal Miscellaneous Petition No. 543 of 2005 is dismissed.