
(2009) 10 SC CK 0071

In the Supreme Court Of India

Case No : Criminal Appeal No. 1957 of 2009 (Arising out of SLP (Criminal) No. 7951 of 2008)

Arulmani and Another

APPELLANT

Vs

State through Inspector of Police

RESPONDENT

Date of Decision : 27-10-2009

Acts Referred:

Citation : (2009) 14 SCALE 180

Hon'ble Judges : H. L. Dattu, J; Dalveer Bhandari, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. Leave granted.
2. These cases were transferred from the High Court of Madras to the Madurai Bench of the Madras High Court.
3. Learned senior counsel appearing on behalf of Appellants has drawn our attention to Annexure P-3 at Page 130 of the SLP Paper Book in which it is mentioned that at the request of the parties, the matter was adjourned to 26.3.2008. It is submitted by the learned Counsel for the appellant that though the hearing of the case was adjourned to 26.3.2008, but the matter was somehow finally heard on 17.3.2008 and the Madurai Bench of the Madras High Court passed the impugned order on 18.3.2008.
4. Learned Counsel for the appellant submits that the hearing of the case was preponed without notice to the appellant or his counsel. There is no satisfactory reply to this frontal allegation by the respondent(s).
5. In this view of the matter, in consonance with the principles of natural justice, we are constrained to set aside the order dated 18.3.2008 passed by the Madurai Bench of the Madras High Court, remit the matters to the Madurai Bench of the High Court and direct that the criminal appeals be listed for hearing after giving

notice to the parties.

6. It is stated that the appellants are in jail for a long period. In this view of the matter, we request the Madurai Bench of the Madras High Court to dispose of the criminal appeals as expeditiously as possible.

7. These appeals are accordingly disposed of.