



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P.(MD)No.15006 of 2015

1.Muniyandi
2.Karikalan
3.Gunasekaran

... Petitioners/Petitioner/Accused

Vs.

The State rep. By
The Inspector of Police,
West Police Station,
Thanjavur,
(Crime No.45 of 2015)

... Respondent/Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records and set aside the order dated 21.07.2015 in Crl.M.P.No.2587 of 2015 passed by the learned District and Sessions Judge, Thanjavur and to direct the learned District and Sessions Judge, Thanjavur to extend the time for compliance of the order dated 04.02.2015 passed in Crl.M.P.No.410 of 2015.

For Petitioners : Mr.B.Jameel Arasu

For Respondent : Mrs.S.Prabha
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition is filed to set aside the order dated 21.07.2015 in Crl.M.P.No.2587 of 2015 passed by the learned District and Sessions Judge, Thanjavur and to direct the learned District and Sessions Judge, Thanjavur to extend the time for compliance of the order dated 04.02.2015 passed in Crl.M.P.No.410 of 2015.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the State and perused the records carefully.

3. The petitioner has been arrayed as accused in Crime No.45 of 2015 on the file of the respondent police for the offence under Sections 332 and 355 of I.P.C. Seeking anticipatory bail, the petitioner filed an application in Crl.M.P.No.410 of 2015 before the Court below. The said anticipatory bail petition was allowed subject to the conditions imposed. As the petitioner could not comply with the conditions imposed in furnishing sureties, an application was filed by the petitioner seeking extension of time. The same was rejected by the Court below and hence,



4. Admittedly, the petitioner has been granted anticipatory bail. Therefore, in the fitness of things the Court ought to have extend the time. It is not as if the petitioner is not willing to comply with the conditions imposed. On the contrary, he seeks extension explaining the reasons for non-compliance of the order.

5. Considering the same, this Criminal Original Petition is allowed and the order passed by the learned District and Sessions Judge, Thanjavur in Crl.M.P.No.2587 of 2015, dated 21.07.2015, is set aside. Consequently, Crl.M.P.No.2587 of 2015 is allowed and the petitioner is granted further period of three weeks from the date of receipt of a copy of this order, to comply with the order passed in Crl.M.P.No.410 of 2015, dated 04.02.2015.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Judge, Thanjavur.
- 2.The Inspector of Police, West Police Station, Thanjavur,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.B.Jameel Arasu, Advocate in SR.No 43690

TS/14.08.2015/2P - 5C KBM/SAR -II

Crl.O.P. (MD) No.15006 of 2015
31.07.2015