

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.21932 of 2017
and CrI.M.P.No.12874 of 2017

1. M/s.Rajalakshmi Real Estate
and Aarthi & Keerthi Enterprises,
No.221, T.V.S.Nagar, Thadagam Road,
Edayarpalayam, Coimbatore.
 2. Perur Mohan@Mohana Sundaram,
Aarthi & Keerthi Enterprises,
No.221, T.V.S.Nagar, Thadagam Road,
Edayarpalayam, Coimbatore. ... Petitioner
- Vs.
1. The State rep. by its Public Prosecutor,
Coimbatore.
 2. R.Ramesh Kumar ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order dated 06.09.2017 made in CrI.M.P.No.2139 of 2017 on the file of the Principal District and Sessions Judge, Coimbatore and to extend the time granted for executing surety in CrI.M.P.No.2921 of 2016 on the file of the Principal District and Sessions Judge, Coimbatore.

For Petitioner : Mr.M.Roshan Atiq

For Respondent : P.Govindarajan
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking to set aside the order dated 06.09.2017 made in CrI.M.P.No.2139 of 2017 on the file of the Principal District and Sessions Judge, Coimbatore and to extend the time granted for executing surety.

2.Heard Mr.M.Roshan Atiq, learned counsel for the petitioner and Mr.P.Govindarajan, learned counsel for the respondent.

3. According to the learned counsel for the petitioner, the petitioner's request for suspension of the sentence was ordered with a condition that the petitioner should execute a bond for Rs.10,000/- each and to furnish two sureties for a like sum each to the satisfaction of the Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore within two weeks from the date of order. The learned counsel submitted that, after the order of suspension was passed, the petitioner had suffered a cardiac arrest and since he was taking treatment, he could not comply with the order in time and therefore seeks for further time to comply with the order.

4. Taking into consideration the medical ailment of the petitioner, further time can be extended.

5. In the result, the Criminal Original Petition stands allowed. The order dated 06.09.2017 made in CrI.M.P.No.2139 of 2017 on the file of the Principal District and Sessions Judge, Coimbatore, is set aside. Consequently, the petitioner is permitted to furnish the required sureties ordered to be executed in CrI.M.P.No.2921 of 2016 on the file of the Principal District and Sessions Judge, Coimbatore, by a further period of two weeks from the date of receipt of copy of this order. Consequently Miscellaneous petition is closed.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

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To

1. The Principal District and Sessions Judge, Coimbatore.
2. The Additional Public Prosecutor, High Court, Madras.

+1 CC to Mr. Roshan Atiq, Advocate sr 74033.

CrI.O.P.No.21932 of 2017

SP(24/10/2017)