



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Eighteenth day of December Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice **S.S.SUNDAR**

CRL MP(MD) Nos.11379 and 11380 of 2017

IN

CRL OP(MD) No.15701 of 2017

1 MUTHUKUMAR
2 MUTHUVAIRAM

... PETITIONERS (in Both Cases)

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
TENKASI DIVISION,
TIRUNELVELI DISTRICT.

2 THE INSPECTOR OF POLICE,
TENKASI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.325 OF 2015)

3 MURUGAN
4 LAKSHMI

... RESPONDENTS (in Both Cases)

Prayer in CRL MP(MD) . 11379/ 2017 :

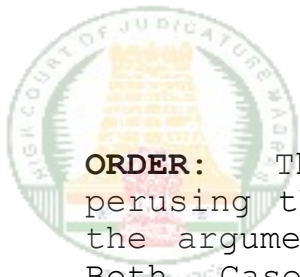
Criminal Miscellaneous Petition is filed under Section 482 of Criminal Procedure code praying this Court to permit the petitioners to amend the court as II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli instead of III Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli in the petition and order copy of Cr1.O.P(MD). No.15701/2017 dated 17/11/2017.

Prayer in CRL MP(MD) . 11380/ 2017 :

Criminal Miscellaneous Petition is filed under Section 482 of Criminal Procedure code praying this Hon'ble Court to extend the time for their surrender by another 15 days in Cr1.O.P(MD). No.15701/2017 dated 17/11/2017.

Prayer in CRL OP(MD) . 15701/ 2017 :

Criminal Original Petition is filed under Section 482 of Criminal Procedure code praying this Hon'ble Court to direct the iii Additional District & Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider their bail application on the same day of their surrender in respect of Crime No.325 of 2015 on the file of the 2nd respondent, pending investigation.



ORDER: This Petition coming on for hearing on this day, upon perusing the affidavit and material papers filed, and upon hearing the arguments of Mr.D.VENKATESH, Advocate for the Petitioners (in Both Cases) and of Mr.K.S.DURAI PANDIAN, Additional Public Prosecutor on behalf of the Respondents 1 & 2 (in Both Cases), this Court made the following order:-

The petition in CrI.M.P.(MD)No.11379 of 2017 is for amendment in the prayer, as II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli instead of III Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli in the main petition and the order dated 17.11.2017 in CrI.OP.(MD)No.15701 of 2017.

2.The learned Counsel for the petitioner submitted that in the main petition, it is prayed for before this Court to direct III Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli to consider the bail application on the same day of surrender in Crime No.325 of 2015 on the file of the Inspector of Police, Tenkasi Police Station, Tirunelveli District. In the prayer, instead of referring to II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, it was inadvertently mentioned as III Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli. Hence, he prayed for amendment in the order accordingly and for issuance of a fresh order copy to the petitioner and to extend the time limit granted earlier to the petitioner to surrender before the Court.

3.Considering the facts and circumstances of the case and the grievance expressed by the petitioners, the petition in CrI.M.P.(MD) No.11379 and 11380 of 2017 in CrI.O.P.(MD) No. 15701 of 2017 are allowed.

4.In view of the above, the time granted earlier to the petitioner to surrender before the II Additional District and Sessions Judge (Special Court for PCR Cases), Tirunelveli, is extended for a period of two weeks from the date of receipt of a copy of this order.

5.Registry is directed to carry out necessary amendments in the order dated 17.11.2017 and issue fresh order copy to the parties.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar



To

- 1 The II Additional District and Sessions Judge,
(Special Court for PCR Cases), Tirunelveli.
- 2 The III Additional District and Sessions Judge,
(Special Court for PCR Cases), Tirunelveli.
- 3 The Deputy Superintendent of Police,
Tenkasi Division,
Tirunelveli District.
- 4 The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
- 5 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

DATED : 18/12/2017

ORDER

CRL MP (MD) Nos.11379 and 11380
of 2017
IN
CRL OP (MD) No.15701 of 2017

JM/SKN RSK/SAR 3/10.01.2018/3P/6C