

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL RC No.1008 of 2018

1.R.Murthy
2.M.Subhash
3.K.Velu
4.C.Ranjith

... Petitioners

Vs.

State Represented by
The Inspector of Police, Singarappettai Police Station
Uthangarai Taluk,
Krishnagiri District.

... Respondent

Criminal Revision petition has been filed under Sections 397 and 401 of the Code of Criminal Procedure, to set aside the order passed in M.P.No.1172 of 2018 in Crime No.141 of 2016 dated 28.08.2018 on the file of the Principal District and Sessions Judge, Krishnagiri and to direct the Court below to extend the time to the petitioners shall surrender before the learned Judicial Magistrate, Uthangarai and shall execute a bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the said Magistrate in Crime No.141 of 2016 on the file of the respondent.

For Petitioners : Mr.M.P.Saravanan

For Respondent : Mr.S.Thankira
Govt Advocate (Crl. Side)

सत्यमेव जयते
O R D E R

This petition has been filed by the petitioners seeking to set aside the order dated 28.08.2018 in M.P.No.1172 of 2018 in Crime No.141 of 2016 passed by the learned Principal District and Sessions Judge, Krishnagiri and to direct the Court below to extend the time to the petitioners to surrender before the learned Judicial Magistrate, Uthangarai to execute a bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the said Magistrate in Crime No.141 of 2016 on the file of the respondent.

2.A case has been registered against the petitioners for the offences under Sections 147, 148, 341, 323, 324, 294(b) and

506(ii) IPC in CrimeNo.141 of 2016 on the file of the respondent-Police. Thereafter, the petitioners approached the Principal District and Sessions Court, Krishnagiri by way of filing Crl.M.P.No.728 of 2016 and obtained anticipatory bail on 30.03.2016 on condition to appear before the concerned Magistrate Court within 10 days and to execute sureties. The petitioners did not complied with the said condition. After two years, they filed extension petition in Crl.M.P.No.1172 of 2018 seeking to extent the time to appear before the concerned Magistrate to execute the sureties. But, considering the delay in filing the extension petition, the Court below dismissed the said petition, against which the present revision has been filed by the petitioners.

3.The learned counsel for the petitioners would submit that after obtaining anticipatory bail order, the petitioners could not secure surety to furnish as per the condition imposed by the Court. Now, the petitioners are ready to furnish the sureties. Thus, the learned counsel for the petitioners prayed for one more chance to appear before the Concerned Court and to furnish the surety within a period of two weeks.

4.Heard the learned Government Advocate (Crl. Side) appearing for the State also.

5.Considering the limited prayer sought for by the petitioners, this Court is inclined to allow this revision petition on condition that the petitioners have to execute the sureties within a period of two weeks from the date of receipt of a copy of this order.

6.Accordingly, the Revision Petition is allowed and the impugned order is set aside and the petitioners are granted two weeks time from the date of receipt of a copy of this order, to appear before the concerned Magistrate and to furnish the sureties, in compliance of the condition imposed by the Court below, failing which, time granted to the petitioners stands cancelled.

Sd/-

Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

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To

1.The Learned Principal District and Sessions Judge,
Krishnagiri.

2.The learned Judicial Magistrate,
Uthangarai.

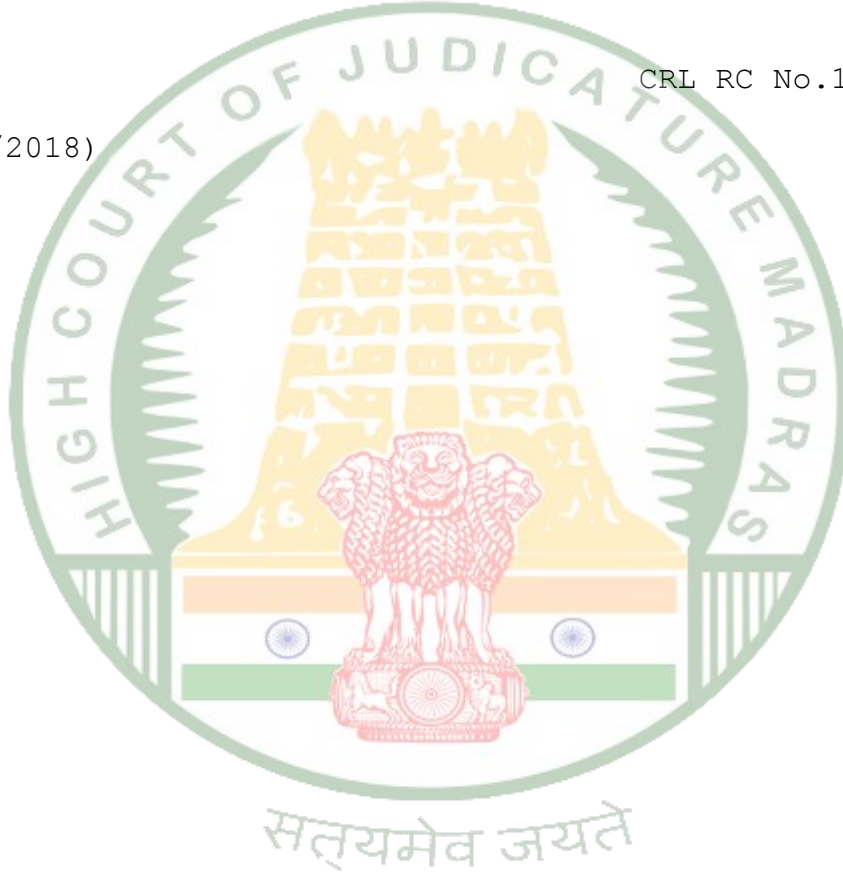
3.The Inspector of Police, Singarappettai Police Station,
Uthangarai Taluk,
Krishnagiri District.

4.The Public Prosecutor,
Madras High Court.

+lcc to Mr.M.P.Saravanan, Advocate SR.No.61620

CRL RC No.1008 of 2018

GMV (24/09/2018)



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