

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 28.08.2018

CORAM
THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20947 of 2018

1.Suriya @ Athimuthu
2.Udhayakumar
3.Kishorekumar

.. Petitioners

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Uthukuli Police Station,
Tiruppur.(crime No.523/17)

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to extend the time granted in Crl.M.P.No.1566 of 2017 by
the Principal Sessions Judge, Tiruppur on 15.12.2017 for
executing the sureties before the learned Judicial Magistrate,
Avinashi.

For Petitioners : Mr.A.Raghuraman
For Respondent : Mr.C.Raghavan, GA

O R D E R

The petitioners are accused in Uthukuli Police Station Crime
No.523 of 2017 for the offence under Section 294[b], 323 and 506
[i] IPC. The petitioners were granted anticipatory bail by the
Principal Sessions Judge, Tiruppur in C.M.P.No.1566 of 2017 on
15.12.2017 with a direction to surrender before the Judicial
Magistrate, Avinashi within 15 days and execute necessary bond.
The petitioners did not surrender. But, however, filed
C.M.P.No.898 of 2018 to extend the time, which was allowed on
24.05.2018 and further two weeks time was granted. In spite of
that, the petitioners did not surrender before the Magistrate.
The petitioners filed C.M.P.No.1280 of 2018 seeking extension of
time for surrender, which has been dismissed by the Principal
Sessions Judge, Tiruppur on 06.08.2018. Aggrieved by which, the
petitioners are before this Court.

2.Heard the learned counsel for the petitioners and the
learned Government Advocate.

3.Learned counsel for the petitioners submitted that since the petitioners were not able to make arrangements for furnishing sureties, they were not able to comply with the orders passed by the Sessions Court.

4.Under normal circumstances, this Court would not interfere in a case of this nature, where the Sessions Court was pleased to grant extension of time. However, taking into consideration, the nature of the allegations in the FIR, this Court is of the view that some indulgence can be shown to the petitioners. Hence, this Court directs the petitioners to surrender before the Judicial Magistrate, Avinashi within two weeks from the date of receipt of a copy of this order and comply with the order in C.M.P.No.1566 of 2017 dated 15.12.2017 passed by the Principal Sessions Judge, Tiruppur.

With the above direction, this petition is ordered accordingly.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Uthukuli Police Station,
Tiruppur.

2.Judicial Magistrate,
Avinashi.

3.Principal Sessions Judge,
Tiruppur.

4.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.A.Raghuraman, Advocate, S.R.No.58627

CRL.OP.No.20947 of 2018

GSP(10/09/2018)