

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice KRISHNAN RAMASAMY

CRIMINAL MISCELLANEOUS PETITION No.18022 & 18023 of 2018

IN CRL OP.28113/2018

K.SHANMUGAM

[PETITIONER IN BOTH THE PETITIONS]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
PEW, GINGEE POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.667/2018.

[RESPONDENT IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To extend the time for furnishing the surety in Crl.O.P.No.28113 of 2018 order dated 04.12.2018. in (Crl.M.P.No.18022/2018)

(ii) To modify the condition which imposed was in Crl.O.P.No.28113 of 2018 order dated 14.12.2018 from complying before Judicial Magistrate Gingee, Villupuram District to Judicial Magistrate-I, Chengalpet on the file of the Hon'ble High Court, Chennai. (Crl.M.P.No.18023/2018)

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.M.THIYAGARAJAN, Advocate for the petitioners, [IN BOTH THE PETITIONS] and of M/S.T.SHUNMUGARAJESWARAN, Government Advocate, Public Prosecutor, on behalf of the Respondents [IN BOTH THE RESPONDENT] the court made the following order:-

Crl.O.P.No.18022 of 2018 is filed seeking extension of time for furnishing sureties in Crl.O.P.No.28113 of 2018 while granting anticipatory bail by order of this Court dated 4.12.2018.

Crl.O.P.No.18023 of 2018 is filed praying to modify the condition which was imposed in Crl.O.P.No.28113 of 2018 by order dated 4.12.2018 from complying before Judicial Magistrate Gingee, Villupuram District to Judicial Magistrate-I, Chengalpet .

2. Learned counsel for the petitioner would submit that this Court while granting anticipatory bail to the petitioner, imposed the following conditions;

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, anticipatory bail shall stand dismissed.

(ii) The petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

3. Learned counsel for the petitioner would submit that due to inadvertence, he was not able to arrange for the sureties and deposit the amount, hence, he is unable to comply with the aforesaid condition No.(i). Thus he prayed for extension of time for furnishing sureties.

4. He would further submit that though the petitioner is living in Villupuram, he was facing difficulty in signing before Gingee Police Station as the petitioner is having some dispute with his brother, due to which, he apprehends that his life will be put to threat. Thus he prayed that the petitioner may be permitted to sign before the Judicial Magistrate-I, Chengalpet instead of Judicial Magistrate, Gingee, Villupuram District.

5. In view of the submissions made by the learned counsel for the petitioner, the following orders are passed;

(i) time for furnishing sureties is extended by two weeks from the date of receipt of a copy of this order.

(ii) the condition imposed in Crl.O.P.No.28113 of 2018 by this Court on 4.12.2018 that the petitioner shall sign before the Judicial Magistrate Gingee, Villupuram District is modified to the extent that the petitioner shall report before the Judicial Magistrate I, Chengalpet.

(iii) In other aspects, the earlier order dated 4.12.2018 shall stand unaltered.

5. These petitions are ordered accordingly.

-sd/-
27/12/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
GINGEE, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE JUDICIAL MAGISTRATE,
NO.I, CHENGALPAT.

4 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPAT. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
PEW, GINGEE POLICE STATION,
VILLUPURAM DISTRICT.

5 THE OFFICER INCHARGE,
GINGEE POLICE STATION,
VILLUPURAM DISTRICT.

+2 C.C. to M/S.M.THIIYAGARAJAN Advocate on payment of necessary charges SR.NO.25044, 25045

Order

in
CRL MP.18022 & 18023/2018

in
CRL OP.28113/2018

Date :27/12/2018

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format