

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3740 of 2019

Mr.G.Mohanasundaram

..Petitioner

Vs.

1.Senthil Kumar

2.State rep. by
The Public Prosecutor,
Coimbatore.

..Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to extend the time to furnish the sureties in C.M.P.No.3854 of 2018 in C.A.No.545 of 2018 in C.C.No.326 of 2013 vide order dated 14.12.2018 on the file of Fast Track Judicial Magistrate No.II, Coimbatore.

For Petitioner : Mr.A.Saranraj

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R2

O R D E R

This Criminal Original Petition has been filed by the petitioner seeking to modify the conditions imposed in C.M.P.No.3854 of 2018 in C.A.No.545 of 2018, dated 14.12.2018 by the learned Principal District and Sessions Judge (i/c), Coimbatore.

2. The relevant portion of the order in C.M.P.No.3854 of 2018 in C.A.No.545 of 2018 is extracted hereunder:

"Considering the submissions made by either side, this Court is inclined to allow this petition and the substantive sentence of imprisonment imposed on the petitioner by the lower Court alone is hereby suspended till disposal of the appeal subject to the following conditions:-

(i) The petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate, Fast Track Court @ Magisterial Level-II, Coimbatore, within two weeks from the date of this order.

(ii) The petitioner shall deposit a sum of Rs.50,000/- towards the part of compensation amount before the lower Court.

(iii) Final Order in respect of the deposit amount will be passed by the appellate Court at the time of disposal of the appeal.

(iv) The petitioner shall report before the trial Court on the 1st working day of every English calendar month at 10.30 a.m. without fail, until further orders.

The appeal is made over to the IV Additional District & Sessions Court, Coimbatore. The appeal stands posted to 08.02.2019.

On the failure of the petitioner, to comply with any of the above said conditions, the suspension granted to him shall stand automatically cancelled and the Magistrate concerned shall take necessary steps to secure the petitioner/accused."

3. Thereby, the petitioner shall deposit the sum of Rs.50,000/- towards the part of compensation amount before the lower Court, within a period of two weeks from the date of receipt of copy of this order. Now, the petitioner is ready with money. But, they cannot comply the said condition in time as directed by the learned Principal District and Sessions Judge, Coimbatore.

6. Considering the above facts and circumstances, this Court is inclined to extend the time to comply with the above said condition, on or before 18.02.2019, in respect of other conditions shall stand as it is.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

sbn/rpl

To

1.Fast Track Judicial Magistrate No.II,
Coimbatore.

2.The Public Prosecutor,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

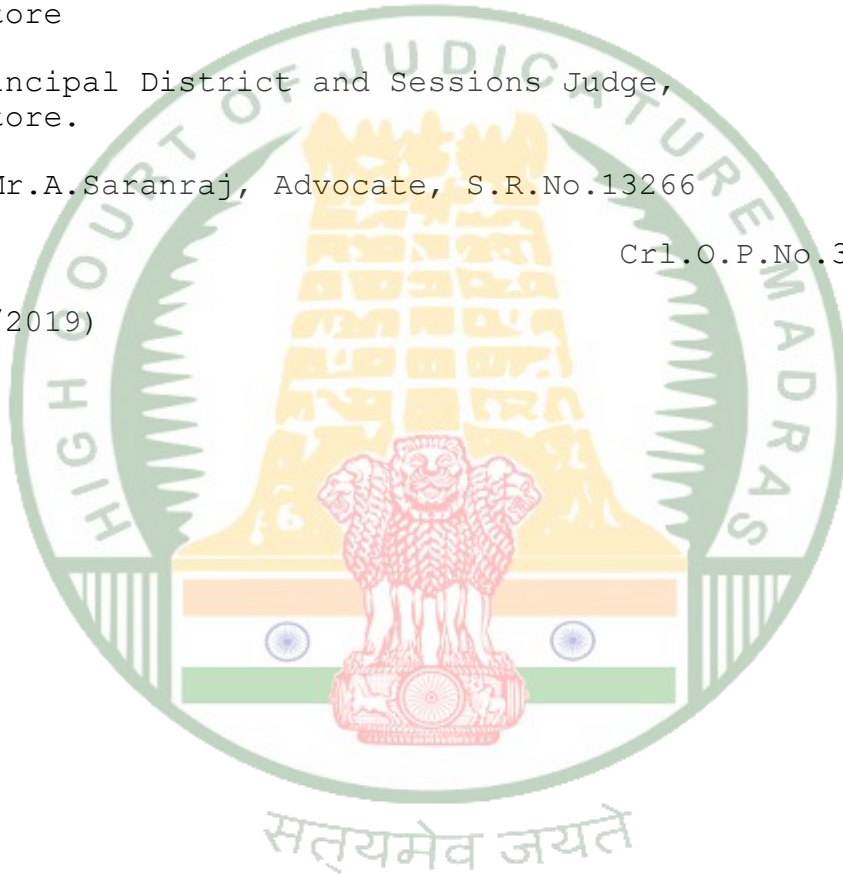
4. The IV Additional District and Sessions Judge,
Coimbatore

5. The Principal District and Sessions Judge,
Coimbatore.

+1 cc to Mr.A.Saranraj, Advocate, S.R.No.13266

Crl.O.P.No.3740 of 2019

NRL(CO)
SSM(14/02/2019)



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