

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 5748 of 2019

Sakthi.G

.. Petitioner

Vs.

State represented by
The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
Crime No.39 of 2019

.. Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to extend the time to surrender before the learned District Munsif cum Judicial Magistrate, Valangaiman as directed by the Hon'ble Principal Sessions Court, Tiruvarur by order dated 25.01.2019 in Crl.M.P.No.165 of 2019.

For Petitioner : Mr.K.M.Subramaniam

For Respondent : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to extend the time to surrender before the learned District Munsif cum Judicial Magistrate, Valangaiman as directed by the Hon'ble Principal Sessions Court, Tiruvarur by order dated 25.01.2019 in Crl.M.P.No.165 of 2019.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

3.The petitioner apprehending arrest at the hands of the respondent Police for the offence under Sections 294(b), 324 and 506(ii) of IPC. Hence, he filed a petition seeking anticipatory bail before the learned Principal Sessions Judge, Tiruvarur in Crl.M.P.No.165 of 2019. The learned Principal Sessions Judge, Tiruvarur, granted anticipatory bail to the petitioner on

following conditions:

1.The petitioner shall be released on Anticipatory Bail, in the event of arrest or on his surrender before the Learned District Munsif-cum-Judicial Magistrate, Valangaiman on or before 05.02.2019 failing which this petition shall automatically stand cancelled.

2. The petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Valangaiman.

3.The petitioner shall report and sign before the learned District Munsif-cum-Judicial Magistrate, Valangaiman at 10.00 a.m. for a period of one month from the date of surrender.

4. The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

5. Thereafter, the petitioner is directed to appear before the concerned Court whenever it is necessary.

6.He shall not tamper with the witnesses either during investigation or trial.

7.The petitioner shall make available for interrogation by the Police Officer concerned.

8.On breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

4.The learned counsel for the petitioner submitted that the petitioner is a daily labourer and hence he could not comply with the conditions within the stipulate time. He further submitted that the act of the petitioner is neither willful nor wanton and sought for extension of time, to surrender before the concerned Magistrate.

5.Heard both sides.

6.Considering the facts and circumstances, this Court is inclined to extend further period of 10 days for the petitioner to comply with the conditions imposed by the learned Principal Sessions Judge, Tiruvarur in Crl.M.P.No.165 of 2019.

7.Accordingly, the petitioner is directed to comply with the conditions on or before 15.03.2019 and to further pay a sum of Rs.2,000/- (Rupees Two thousand only) to the Chief Justice Relief Fund, High Court, Chennai, and produce the receipt at the time of executing bond, failing which the anticipatory bail granted shall stands automatically cancelled. All other conditions imposed in Crl.M.P.No.165 of 2019, shall remain intact.

8. Accordingly, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

सतरादेवराजाने
Sub Assistant Registrar

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To

1. The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
Crime No.39 of 2019
2. The Principal Sessions Judge,
Tiruvarur.

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3. The District Munsif-cum-
Judicial Magistrate,
Valangaiman.

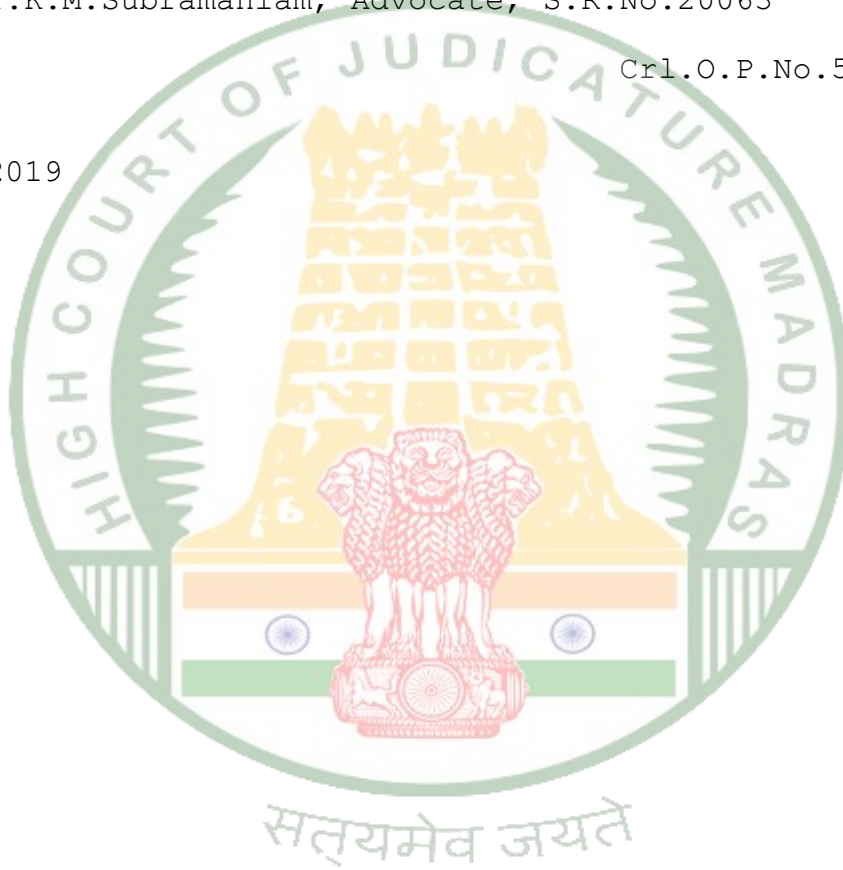
4. The Public Prosecutor,
High Court, Madras

Copy To
The Section Officer,
Accounts Section,
High Court, Madras-104.

+1cc to Mr.K.M.Subramaniam, Advocate, S.R.No.20063

Crl.O.P.No.5748 of 2019

NR(CO)
CS/07/03/2019



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