

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9434 of 2019

Kullan @ Kalaivanan

...Petitioner

-Vs-

The State rep by
The Inspector of Police,
Padalam Police Station,
Kancheepuram District.
(Crime No.243 of 2018)

.... Respondent

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to extend the time to comply the order dated 02.08.2018 in Crl.M.P.No.3019 of 2018 passed by the learned Principal District & Sessions Judge, Chengalpattu thereby enabling the petitioner herein to surrender and furnish surety.

For Petitioner : Mr.G.Magesh Kumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to extend the time to comply the order dated 02.08.2018 in Crl.M.P.No.3019 of 2018 passed by the learned Principal District & Sessions Judge, Chengalpattu thereby enabling the petitioner herein to surrender and furnish surety.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The learned counsel for the petitioner would submit that the petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379, 430 of IPC r/w 3(1) of TNPPD & L Act in Crime No.243 of 2018.

He would further submit that the petitioner has filed a petition seeking for anticipatory bail before the Court below and the same was granted with certain condition of deposit of Rs.2,500/- by each petitioner in favour of District Mineral Foundation Trust, Kancheepuram. He would further submit that the time given was ten days and the same had lapsed and consequently, the anticipatory bail automatically stood cancelled and hence the petitioner filed an application to extend the time before the Court below and the same was dismissed even without numbering. Hence this present petition.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has not complied with the condition imposed by the Court below. Hence, he vehemently opposed to extend the time.

5. Taking into consideration the nature of the allegation and the submissions made by the learned Additional Public Prosecutor, this Court is not inclined to extend the time to comply with the order dated 02.08.2018 in CrI.M.P.No.3019 of 2018 passed by the learned Principal District & Sessions Judge, Chengalpattu. However, the petitioner is at liberty to move concerned Court by a fresh application for anticipatory bail.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(AD IV)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Principal District & Sessions Judge,
Chengalpattu
2. The Inspector of Police,
Padalam Police Station, Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.9434 of 2019

EV(CO)
CS/21/05/2019