



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of February Two Thousand Nineteen
PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) Nos.1754 & 1755 of 2019
IN
CRL OP(MD) No.1078 of 2019

M.CHINNAMUTHIAH

... PETITIONER/ PETITIONER/
ACCUSED-3
IN BOTH PETITIONS

Vs

THE STATE REP.THROUGH
THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING
POLICE STATION, THENI.
Crime No.947/2018

... RESPONDENT/ RESPONDENT/
RESPONDENT
IN BOTH PETITIONS

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to extend the time granted by this Honourable Court in the order dated 25/01/2019 made in Crl.O.P.(MD) NO.1078 of 2019 by 2 weeks.

Prayer in CRL MP(MD) . 1755/ 2019 :

To issue suitable modifications pertaining to clauses (a), (b), (f) and (g) of the order dated 25/01/2019 made in Crl.O.P.(MD) NO.1078 of 2019 on the file of this Honourable Court.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.APPADURAI, Advocate for the petitioner in both petitions, and of Mr.K.SUYAMBULINGA BHARATHI Government Advocate (Crl. Side) on behalf of the Respondent in both petitions, the court made the following order:-

These petitions have been filed to modify the condition imposed on the petitioner in Crl.O.P.(MD).No.1078 of 2019, dated 25.01.2019 and to extend the time limit of the petitioner to surrender before the concerned Magistrate Court.

2.The learned counsel for the petitioner submits that since, the petitioner was unable to arrange the deposit amount of Rs.25,000/- because of his poverty, he was unable to execute the sureties within the stipulated time as per the order of Crl.O.P(MD) No.1078 of 2019 dated 25.01.2019. Hence, he prayed to modify the condition and to extend the time to surrender before the concerned Magistrate Court.



3. In view of the same, the condition 5(b) is modified as follows:

"6(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai and produce the proof before the concerned Judicial Magistrate before execution of sureties."

4. Further, the time granted by this Court vide order, dated 25.01.2019 in Crl.O.P(MD) No.1078 of 2019 to surrender before the concerned Magistrate, is extended further for a period of two weeks from the date of receipt of copy of this order.

5. In other respects, the order dated 25.01.2019 passed by this Court in Crl.O.P.(MD).No.1078 of 2019 remains unaltered.

6. Accordingly, these miscellaneous petitions are disposed of.

sd/-
28/02/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, THENI.
2. THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
3. THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING POLICE STATION, THENI.
4. THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR AGED AND POOR,
MELUR ROAD, UTHANGUDI,
ULAGANERI, MADURAI - 625 107.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. C.C. to Mr.K.APPADURAI Advocate SR.Nos.4048,4049

ORDER
IN
CRL MP (MD) Nos.1754 &
1755 of 2019
IN
CRL OP (MD) No.1078 of 2019
Date : 28/02/2019