



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Twenty Fourth day of June Two Thousand Nineteen

Present

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WEB COPY

CRL MP(MD).No.5473 of 2019 in CRL.A(MD).No.318 of 2013

S.NAGOOR HUSSAIN MOHAIDEEN

... Petitioner/Appellant

Vs

THE INSPECTOR OF POLICE

VIGILANCE AND ANTI CORRUPTION THOOTHUKUDI DISTRICT

CR.NO.5/2006

... Respondent/Respondent

Prayer in CRL MP(MD).No.5473 of 2019:-

This Petition filed Under Section 482 of Criminal Procedure Code praying to extend the period granted in Crl.A(MD).No.318/2013 dated 04/04/2019 by this Honourable Court to the petitioner for surrendering before the Trial Court by 8 weeks from the date of the expiry of the time already granted by this Honourable Court.

Prayer in CRL A(MD). 318/ 2013 :

This Criminal Appeal filed Under Section 374(2) of the Criminal Procedure Code, praying to admit this appeal on file and call for the records in Special Case No.8 of 2007 on the file of the Assistant Sessions Judge Cum Chief Judicial Magistrate Cum Special Judge, Thoothukudi and set aside the judgement and conviction passed on 07.10.2013 and acquitting the appellant.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.SELVANAYAGAM FOR M/S.AHMED ASSOCIATES, for the Petitioner and of Mr.A.ROBINSON, GOVERNMENT ADVOCATE (CRIMINAL SIDE), for the respondent, this Court made the following order:

The petitioner herein was the appellant in Criminal Appeal (MD)No.318 of 2013 and the same suffered dismissal. He was directed to surrender before the Court below on or before 21.06.2019. Stating that the order copy was not made ready in time and that the Hon'ble Supreme Court is on vacation, this petition has been filed seeking extension of time to surrender before the trial Court.

2.This Court wanted to know from the petitioner's counsel as to whether there is any earlier precedent granting such extension of time to surrender. This petitioner is not in a position to produce any such precedent. Therefore, I am of the view that Section 362 of Cr.P.C., will come in the way. Hence, I am not in a



position to grant relief to the petitioner herein. This petition is dismissed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

WEB COPY

Sub Assistant Registrar(CS)

TO

1. THE ASSISTANT SESSIONS JUDGE CUM
CHIEF JUDICIAL MAGISTRATE CUM SPECIAL JUDGE,
THOOTHUKUDI
2. THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION THOOTHUKUDI
DIST CR.NO.5/2006
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.D.SELVANAYAGAM, Advocate Sr. No. 71031

ORDER DATED : 24/06/2019

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EXTENSION OF TIME
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CRL MP(MD).No.5473 of 2019 in
CRL.A(MD).No.318 of 2013

Giving direction and etc.
as stated within.

DB(CO)
TR (03.07.2019) 2P 6C