



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 14/08/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL MP(MD) . Nos.6980 and 7081 of 2019

in

CRL OP(MD) . No.2577 of 2019

A.Alaguraj ... Petitioner/Respondent
in Crl.M.P(MD) No.6980 of 2019

R.Sankar ... Petitioner/Petitioner/
Aggrieved Person
in Crl.M.P(MD) No.7081 of 2019

Vs

1.State through,
The Inspector of Police,,
DCB, Virudhunagar
Cr.No.2/2018. ... Respondent/Respondent

2. R.Shankar ... Respondents/Petitioner
in Crl.M.P(MD)No.6980 of 2019

1.A.Alaguraj ... 1st Respondent/1st Respondent/
Accused No.7

2.State through,
The Inspector of Police,
DCB, Virudhunagar,
Crime No. 2 of 2018. ... 2nd Respondent/2nd Respondent/
Complainant
in Crl.M.P(MD) No.7081 of 2019

In Crl.M.P(MD) No.6980 of 2019

For Petitioner : M/s.A.Balaji,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)



In Crl.M.P(MD) No.7081 of 2019

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For Petitioner : M/s.S.Mahalakshmi,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

PETITION FOR TIME EXTENSION Under Sec.482 of Cr.P.C and
petition for cancellation of bail under Section 439(2) of Cr.P.C

PRAYER in Crl.M.P(MD) No. 6980 of 2019:-

To extend the time limit imposed by the Court to deposit
Rs.2,50,000/ in Crl.OP(MD)No.2577/2019 dated 22.04.2019 and direct
the JM No.II, Virudhunagar to accept the same by three installments
within a time frame that may be stipulated by this Court.

PRAYER in Crl.M.P(MD) No. 7081 of 2019:-

To Cancel the impugned order of an Anticipatory bail granted in
favour of the 1st Respondent in Cr No. 2 of 2018 on the file of
the District Crime Branch Virudhunagar by the Learned Principal
Sessions Judge of Virudhunagar district in Srivilliputhur

ORDER : The Court Made the following order :-

On 08.08.2019, this Court passed the following order:

*"The petition has been filed to extend the time
granted by this court in Crl.OP(MD)No.2577/2019
dated 22.04.2019, for producing the sureties and for
executing the bail bond.*

*2. The second respondent herein has filed
Crl.O.P(MD) No. 2577 of 2019 to cancel the
anticipatory bail which was granted by the
Sessions Court in Cr.M.P.No.4415 of 2018 dated
01.11.2018, when the said petition came up for
hearing, the learned counsel for the petitioner
herein made a submission that without prejudice to
his defence to be taken by the petitioner the
petitioner is willing to deposit Rs.2,50,000/- to
the credit of the crime number 2 of 2018 and
considering the same, this Court dismissed the*



cancellation anticipatory bail application by the order dated 22.04.2019. However, this Court directed the petitioner herein to deposit Rs.2,50,000/- within a period of eight weeks from the date of receipt of a copy of this order.

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3. The learned counsel for the petitioner has submitted that the petitioner has received a copy of the said order on 02.05.2019 and since the petitioner could not mobilize the funds, he filed the present petition seeking extension of time.

4. The learned counsel for the second respondent would submit that since the petitioner has not complied with the conditions, the second respondent herein has filed Crl.M.P(MD) No. 7081 of 2019 to cancel the anticipatory bail which was granted by the Sessions Court.

5. Considering the rival submissions and also the fact that original order which was issued by this Court expired on 02.07.2019 and thereafter one month is expired, the petitioner is directed to deposit the said amount of Rs.2,50,000/- on or before 13.08.2019 before the trial court.

6. Post the case before this Court on 14.08.2019"

2. As per the order passed by this Court on 08.08.2019, the petitioner has paid a sum of Rs.2,50,000/- before the learned Judicial Magistrate No.II, Viruthunagar and he has also filed a memo to that effect along with the xerox copy of the receipt before this Court, hence this petition is entertained. Hence, he prays to grant further time to execute the bail bond.

3. Heard the learned counsel for the petitioner in both the petitions and the learned Government Advocate(Crl.Side) appearing for the State.

4. Crl.M.P(MD) No. 7081 of 2019 has been filed to cancel the anticipatory bail as the petitioner has not complied with the condition which was imposed by this Court in Crl.O.P(MD) No. 2577 of 2019, dated 22.04.2019.

5. In the previous hearing, after considering the rival submissions, this Court has directed the petitioner to deposit a sum of Rs.2,50,000/- on or before 13.08.2019 and accordingly the petitioner has deposited the said amount. Hence the cancellation of anticipatory bail petition (Crl.M.P(MD) No. 7081 of 2019) is



dismissed and the time granted by this Court in CrI.O.P(MD).No.2577 of 2019 dated 22.04.2019 for surrendering before the concerned Magistrate and executing bail bond is further extended by one week from the date of receipt of a copy of this order as a last chance.

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sd/-
14/08/2019

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

TO

- 1.THE PRINCIPAL SESSIONS JUDGE,
VIRUDHUNARAR DISTRICT AT SRIVILLIPUTHUR.
 - 2.THR JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
 - 3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
 - 4.THE INSPECTOR OF POLICE
DCB, VIRUDHUNAGAR, CR NO.2/2018
 - 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. C.C. to M/S.A.BALAJI Advocate SR.No.13528

ORDER
IN
CRL MP(MD)Nos.6980 & 7081 of 2019
IN
CRL OP(MD) No.2577 of 2019
Date :14/08/2019

AAV
PK/PN/SAR-4/21.08.2019 : 4P/7C