

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)
Friday, the Sixth day of March Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA
CRIMINAL MISCELLANEOUS PETITION No.3009 of 2020
IN CRL OP.32003/2019

ANBALAGAN PERMAIYAN

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUVARUR DISTRICT.
CRIME NO.300 OF 2019.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to amend the petition and order as Anbalagan and also section of law as U/S.379 of IPC, 21(1) of Mines and Minerals (Development and Regulation) Act 1957 instead of Anbalagan Permaiyan and Sections 379 of IPC, 21(2) of Mines and Minerals (Development & Regulation) Act 1957 as mentioned in the petition and order copy in Crl.O.P.No.32003 of 2019 dated 28.11.2019

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.SWAMISUBRAMANIAN, Advocate for the petitioner and of MR.K.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

1.This Criminal Miscellaneous Petition has been filed, seeking to amend the petition and order as Anbalagan and also Section of Law as under Section 379 of IPC, 21(1) of the Mines and Mineral (Development and Regulation) Act, 1957, instead of Anbalagan Permaiyan and Sections 379 of IPC and 21(2) of the Mines and Minerals (Development an Regulation) Act, 1957, as mentioned in the order, dated 28.11.2019, made in Crl.OP.No.32003 of 2019.

2.Heard both sides.

3.It is seen that the order was passed on 28.11.2019 and the order copy was made ready on 10.12.2019. The Petitioners ought to have surrendered within 15 days from the date of receipt of a copy of the order i.e. on or before 25.12.2019 or he should have filed the present petition, before the expiry of the said period, but the Petitioner has failed to do so.

4.This court, in the order dated, 28.11.2019, had clearly stated that the Petitioner shall surrender within 15 days from the date of receipt of a copy of the order, failing which, the order shall stand cancelled automatically. Now, as on date, since the Petitioner did not surrender within the stipulated time, the order has been cancelled automatically. Hence, this petition to amend the order cannot be entertained. Accordingly, this Criminal Miscellaneous Petition is dismissed. However, the Petitioner is at liberty to file a fresh application, seeking anticipatory bail.

-sd/-

06/03/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUTHURAIPOONDI,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUVARUR DISTRICT.

5 THE DISTRICT MINERAL FOUNDATION TRUST,
THIRUVARUR.

C.C. to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary charges

Order

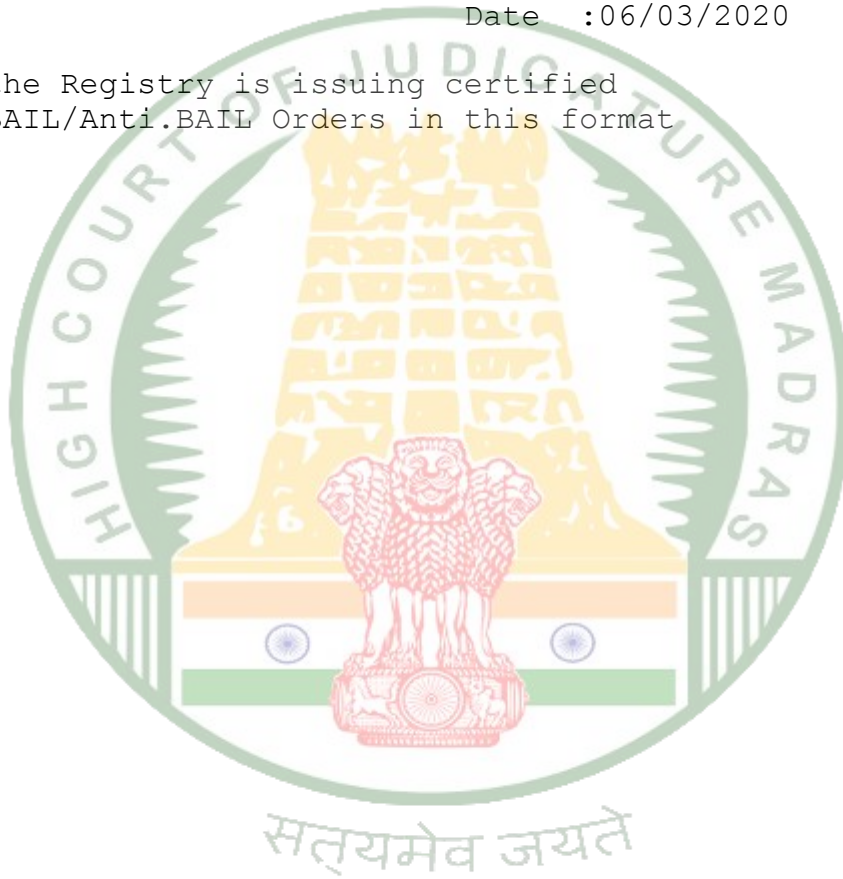
in
CRL MP.3009/2020

in
CRL OP.32003/2019

Date :06/03/2020

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

MK:15/04/2020



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