

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. M.P. Nos. 3966 to 3969 of 2020

in Crl. O.P. Nos. 3015, 3018, 3013 & 3007 of 2020

Srikandan,
S/o. Krishnan,
No. 2/3, Sridevi Apartments,
T-2, Trustpuram, 4th Cross Street,
Kodampakkam,
Chennai – 600 024.

..Petitioner in Crl.M.P. No. 3966/2020

/ Petitioner

1.S. Dhanasekaran,
S/o. Sukumaran ,
No. 99/57, First Pillaiyar Kovil Street,
Lakshmipuram,
Thiruneermalai,
Chrompet,
Chennai – 600 044.

2.P.K. Hariharan,
S/o. Krishnan,
No.124, Saleem Flats, F-1,
Krishna Steet, Chinnmaya Nagar,
Virugambakkam,
Chennai 600 092.

3.R. Thulasiram,
S/o. Ramamurthy,
No. 135/76, New Vallalar Street,
Kodambakkam,
Chennai 600 024.

4.S. Loganathan,
S/o. Sekar,
No.2/523, Nakkeeran Salai 2nd Street,
Mogappair East,
Thiruvallur 600 037.

..Petitioners in Crl.M.P. No. 3967/2020

/ Petitioners

G. Vignesh,
S/o. Govindan,
No. 22/1, Kanniappan Street,
Periyar Padhai,
Choolaimedu,
Chennai – 600 094.

..Petitioner in Crl.M.P. No. 3968/2020

/ Petitioner

1.J. Alex Pandian,
S/o. John Moses,
No. 24/72, Bharatheeswarar Colony 2nd Street,
Kodambakkam,
Chennai – 600 024.

2.L. Yuvaraj,
S/o. Loganathan,
No. 100/2, 6th Cross Street,
Trustpuram, Kodambakkam,
Chennai 600 024.

3.A. Robiul Ahmed,
S/o. Akil Ali,
No. 166, 1st Floor, 2nd Street,
Periyar Colony, Aminjikarai,
Chennai 600 029.

..Petitioners in Crl.M.P. No. 3969/2020

/ Petitioners

Vs.

State represented by
The Inspector of Police,
W-4, All Women Police Station,
Kilpauk, Chennai.
(Crime No. 3 of 2020)

..Respondent in all the petitions/ Respondent

Common Prayer: Criminal Miscellaneous Petitions filed seeking extension
of time under Section 482 of Criminal Procedure Code.

(In all petitions)

For Petitioners : Mr. K. Charles Alexander

For Respondent : Mr. M. Jothikumar

Additional Public Prosecutor

COMMON ORDER

These petitions have been filed seeking extension of time to comply
with the conditions imposed by this Court vide order dated 28.02.2020 in
Crl. O.P. Nos. 3015, 3018, 3013 and 3007 of 2020.

2.The case of the prosecution is that, the de-facto complainant namely Niranjini received lot of threatening calls from the petitioners, damaging her reputation by posting her photographs and abusing her in social media between 09.01.2020 to 13.01.2020. On complaint, a case has been registered against the petitioners and other accused under Section 506(i) of I.P.C, Section 4 of TNPWH Act and Section 67 of the Information Technology Act. The petitioners filed Crl. O.P. Nos. 3015, 3018, 3013 and 3007 of 2020 respectively, seeking anticipatory bail and this Court, considering the facts of the case and alleged offence, granted anticipatory bail to the petitioners, on certain conditions. The petitioners did not comply with the said conditions and have come out with the present petitions for extension of time.

3.The learned counsel appearing for the petitioners submitted that the respondent Police harassed the petitioners by registering line of complaints against them. Three false cases have been registered against the petitioners, on the false complaint given by one Niranjini and her friends viz., Vimal Chand and Balachander. The petitioners filed Crl. O.P. Nos. 3015, 3018, 3013 and 3007 of 2020, seeking anticipatory bail respectively. This Court by

the order dated 28.02.2020, has granted anticipatory bail to the petitioners on certain conditions. In the mean time, due to lock down because of COVID – 19 pandemic, the petitioners were unable to execute the sureties and comply with the conditions imposed by this Court. The learned counsel appearing for the petitioners further contended that the respondent Police, with a view to harass the petitioners and insisting on production of A1, the petitioner in Crl.M.P. No. 3966 of 2020, is preventing other petitioners from complying with the conditions imposed by this Court. The non-compliance of the conditions imposed by this Court is neither wilful nor wanton, but only due to continuous registration of false cases against the petitioners and others on the same nature of allegations and lock down period because of Corona virus and prayed for granting extension of time to comply with the conditions imposed by this Court vide order dated 28.02.2020 in Crl. O.P. Nos. 3015, 3018, 3013 and 3007 of 2020 respectively.

4.The learned Additional Public Prosecutor appearing for the respondent Police denied various allegations made against the respondent Police and submitted that the petitioners have not given any acceptable

reason for seeking extension of time. The copy of the order dated 28.02.2020 was made ready on 05.03.2020 itself, while the lock down was announced by the State of Tamil Nadu only on 25.03.2020 and hence, opposed for granting extension of time.

5. Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6. Considering the elaborate order passed by this Court in the batch of petitions filed by the petitioners and considering the lock down period, in order to give an opportunity to the petitioners to comply with the earlier order of this Court and in the interest of justice, this Court is inclined to extend the time for complying the conditions imposed by this Court vide order dated 28.02.2020 in Crl. O.P. Nos. 3015, 3018, 3013 and 3007 of 2020. Accordingly, the petitioners are granted 15 days time from today to comply with the conditions imposed by this Court earlier by order dated 28.02.2020 in Crl. O.P. Nos. 3015, 3018, 3013 and 3007 of 2020.

7. Accordingly, all the Criminal Miscellaneous Petitions are allowed.

27.05.2020

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Index : Yes / No

Internet : Yes / No

To

1. The Inspector of Police
W-4, All Women Police Station,
Kilpauk, Chennai.

2. The Public Prosecutor,
High Court,
Madras.



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in Crl.O.P. Nos. 3015, 3018, 3013 & 3007 of 2020

V.M.VELUMANI, J.,

gsa



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