



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Jurisdiction

Friday, the Eleventh day of December Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL MP(MD).No.6835 of 2020

in CRL OP (MD) NO.11881 OF 2020

1. Muralidharan

2. Esakkimuthu

3. Sankar ... Petitioners/Petitioners

Vs

1 The Deputy Superintendent of Police, Nanguneri,
Tirunelveli Dist

2 The Inspector of Police
Eruvadi Police Station,
Tirunelveli Dist
Cr No. 371/2020.

3 Dinakaran
S/o. PerumaL,
220, Mariyamman Kovil St
Sirumalanji,
Tirunelveli District

... Respondents/Respondents

CRL MP (MD) NO.6835/2020 Criminal Miscellaneous petition is filed under section 482 of CRPC praying To Extend the time granted in Crl. O.P.(MD) No. 11881 of 2020 dated 22.10.2020

CRL OP MD NO.11881 OF 2020 IS FILED UNDER SECTION 482 OF CR.P.C.OF PRAYING TO GRANT DIRECTION DIRECTING THE II ADDL DISTRICT JUDGE, PCR COURT), TIRUNELVELI TO CONSIDER THE PETITIONERS BAIL APPLICATION IN THE SAME DAY OF ARREST OR UPON THEIR SURRENDER UNDER CRIME NO.371/2020 ON THE FILE OF THE 2ND RESPONDENT.

ORDER:- This Criminal Miscellaneous 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 M/s.K.R.Laxman, Advocate for the Petitioner and of Mr.V.Neelakandan, Additional Public Prosecutor, for the respondent, 1 AND 2 this Court made the following order:

<https://hcservices.ecourts.gov.in/hcservices/>



This petition has been filed to extend the time for surrender of the petitioners in Crl.O.P(MD)No.11881 of 2020 dated 22.10.2020.

2.The learned counsel for the petitioners would state that the petitioners moved the above criminal original petition in Crl.OP(MD) No.11881 of 2020 to direct the II Additional District Judge (PCR Court), Tirunelveli, to consider their bail application on the same day of surrender on merits relating to Crime No.371 of 2020 registered for the alleged offences under Sections 341, 147, 148, 294(b), 323, 324, 506(ii) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The above petition was ordered by this Court by order dated 22.10.2020 with a condition that the petitioners shall surrender before the trial Court within a period of 15 days from the date of receipt of a copy of the order.

3.The learned counsel for the petitioners would further state that they received the order copy only on 10.11.2020 and since the petitioners' family members were affected by Covid-19, the petitioners took care of them and further, the 1st petitioner was suffering from jaundice and was taking native treatment and therefore, they were not able to surrender in time as ordered by this Court. Therefore, they could not comply with the above order which is neither wilful nor wanton, but because of the above bonafide reason. Thus, the learned counsel would pray for extension of time.

4.I am satisfied with the reasons stated in the affidavit filed for extension of time. Accordingly, the petitioners are directed to surrender before the trial Court on or before 28.12.2020 and the trial Court shall consider the petitioners' bail application on the same day of surrender on its own merits. Till then, the respondents/police shall not arrest the petitioners.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Deputy Superintendent Of Police
Nanguneri
Tirunelveli Dist



2. The Inspector of Police
Eruvadi Police Station
Tirunelveli Dist

3. The Additional Public Prosecutor,
Madurai Bench of Madras high court,
Madurai - 23

4. The II Additional District Judge,
PCR Court, Tirunelveli District.

ORDER DATED : 11/12/2020

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ORDER
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CRL MP(MD) . No.6835 of 2020
IN
CRL OP (MD) NO.11881 OF 2020

Giving direction and etc.
as stated within.

SSS(CO)
AP(11.12.2020) 3P 5C