



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Tuesday, the Twenty Second day of December Two Thousand and Twenty

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CRL MP(MD). No.7508 of 2020
in
CRL OP(MD).No.11598 of 2020

1 Goutham
2 Pasupathi
3 Ganesan
4 Karthikselvam
5 Ranjitkumar
6 Muthuramalingam ...Petitioner/Accused No.1 to 6

Vs

1 State rep.by The Deputy Superintendent of Police,
Sankarankovil, Tirunelveli District.
2 The Sub-Inspector of Police, Thiruvengadam Police Station,
Tirunelveli District. (Crime No.197/2020)
...Respondents/Complainant
3 Buvaneswaran ...3rd Respondent/Defacto Complainant

Prayer in CRL MP(MD). No.7508 of 2020 :-

Criminal Miscellaneous Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to extend the time in CrI.O.P.(MD).No.11598/2020 dated 16.10.2020 for surrender before the Learned 2nd Additional District and Sessions Judge (PCR), Court, Tirunelveli.

Prayer in CRL OP(MD).No.11598 of 2020 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to issue necessary direction to the II Additional District and Sessions Court (PCR), Tirunelveli to consider and pass orders on bail application to be filed by the petitioners in connection with Cr.No. 197 of 2020 pending on file of the 2nd respondent police on the same day.

ORDER:-

Criminal Miscellaneous Petition coming on for hearing on this day, the Court is satisfied with the petition and the affidavit filed in



support thereof and upon hearing the arguments of Mr.V.Maharajan, Advocate for the Petitioners and of Mr.V.Neelakandan, Additional Public Prosecutor On Behalf of the Respondents No.1 and 2, this Court made the following order:

This petition has been filed to extend the time for surrender of the petitioners in Crl.O.P(MD)No.11598 of 2020 dated 16.10.2020.

2.The learned counsel for the petitioners would state that the petitioners moved the above criminal original petition to direct the II Additional District and Sessions Court (PCR), Tirunelveli, to consider and pass orders on the bail application to be filed by the petitioners in connection with Crime No.197 of 2020 pending on the file of the 2nd respondent police on the same day. The above petition was ordered by this Court by order dated 16.10.2020 with a condition that the petitioners shall surrender before the trial Court within a period of four weeks 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 20.10.2020 and thereafter, there was sudden death of elderly person in the family of the petitioners 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 06.01.2021 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.

This petition is accordingly ordered.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



TO

- 1 The II Additional District and Sessions Court (PCR),
Tirunelveli.
- 2 The Deputy Superintendent of Police,
Sankarankovil, Tirunelveli District.
- 3 The Sub-Inspector of Police, Thiruvengadam Police Station,
Tirunelveli District.
- 4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

(NS) CO

AP(29/12/2020) 3P 5C