



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Tuesday, the Eighth day of December Two Thousand Twenty
PRESENT

The Hon'ble Mrs. Justice J. NISHA BANU
CRL MP (MD). No. 6608 of 2020
in
CRL.OP (MD) NO. 11463 OF 2020

WEB COPY

1. R. Ashok Kumar, S/o Rajamoorthy
2. Rajamoorthy, s/o Erulandi,
3. R. Maragatham, w/o Rajamoorthy,

all are residing at
No. 5b, Vellaichamy
Kothanar St, Aruppukottai
Virudhunagar District.

... Petitioner/Petitioners

Vs

- 1 The Deputy Superintendent Of Police
Thiruchuli Virudhunagar District.
- 2 The Inspector of Police
Veeracholan Police Station
Virudhunagar District. (crime No. 85 of 2020.)
- 3 Packiyalakshmi D/o Vadivel,
Aanaikulam Village, Thiruchuli Taluk
Virudhunagar District.

... Respondents/Respondents

CRL MP MD NO. 6608 of 2020 Criminal Miscellaneous Petition is filed under section 482 of cr.p.c praying To extend the time for surrender of the Petitioners in Crl.OP.(MD).No.11463 of 2020 dt.16.10.2020.

CRL OP MD NO. 11463 of 2020 is filed under section 482 of cr.p.c. of praying to direct the learned principal district and sessions judge, pcr court, virudhunagar district at srivilliputhur to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to crime no.85/2020.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.T.Sathiyathan, Advocate for the Petitioner and of V. Neelakandan, Addl Public Prosecutor, for the respondent(s), 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.11463 of 2020 dated 16.10.2020.

2.The learned counsel for the petitioners would state that the petitioners moved the above criminal original petition in Crl.OP(MD) NO.11463 of 2020 to direct the learned Principal District and Sessions Judge (PCR Court), Virudhunagar District at Srivilliputhur,



to accept the surrender of the petitioners and consider their bail application on the same day on merits relating to Crime No.85 of 2020 dated 03.10.2020 registered for the alleged offences under Sections 294(b) IPC and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. 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 due to old age, the 2nd petitioner was affected by viral fever and other diseases, and the petitioners 1 and 3 were taken care of him and therefore, they were not able to surrender and arrange the sureties 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 21.12.2020 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

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Deputy Superintendent Of Police,
Thiruchuli, Virudhunagar District.
2. The Inspector of Police, Veeracholan Police Station
Virudhunagar District, (crime No. 85 of 2020.)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai - 23.

ORDER DATED : 08/12/2020

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ORDER

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CRL MP (MD) . No.6608 of 2020
in

CRL OP MD NO.11463 OF 2020
Giving direction and etc.
as stated within.