

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fifth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL MISCELLANEOUS PETITION No.2563 of 2021

IN CRL OP.14696/2020

1 D.NAVAMANI VEDAMANIKAM
2 N.ESTHER SHOBANA

[PETITIONERS]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
VADAPALANI POLICE STATION,
CHENNAI-26.
CRIME NO.90 OF 2020.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extend the time to honour the payment by clearing the cheque bearing no a undertook in the affidavit filed in Crl.OP.No.14696/2020 dated 16.10.2020.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.R.C.PAUL KANAGARAJ, Advocate for the petitioners, and of MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR, on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to extend the time to honour the payment by clearing the cheque bearing No... as undertook in the affidavit filed in Crl.O.P.No.14696 of 2020 dated 16.10.2020.

2. Earlier, this Court had granted anticipatory bail to the petitioners with the following conditions Para (3):-

He would submit that now the petitioners have approached the defacto complainant and agreed to settle the principal by three instalments by giving post dated cheques with an assurance to honour the cheque in the following manner i.e. , Rs.1,00,000/- on 07.11.2020, Rs.4,50,000/- on 07.02.2021 and another Rs.4,50,000/- on 07.04.2021 and that the defacto complainant has also agreed to receive it towards security.

3. The learned counsel appearing for the petitioner would submit that as per the order passed by this Court, the petitioners had given a post dated cheque. On 07.11.2020, it has been honoured and thereafter for the remaining two cheques for the sum of Rs.4,50,000/- each, the petitioners unable to mobilize funds due to Covid-19 Pandemic. Therefore the petitioners have filed the present petition seeking extension of time. The petitioners submitted that now they are ready to deposit the cheques.

4. Considering the facts and circumstances of the case, this petition is ordered and time is granted by this Court accordingly modified, the petitioners are directed to give a post dated cheque for a sum of Rs.4,50,000/- payable on or before 31.03.2021, and another post dated cheque for a sum of Rs.4,50,000/- payable on or before 30.04.2021 and honour the cheques, and the petitioners are directed to produce the post dated cheques before the XVII Metropolitan Magistrate, Saidapet, Chennai, within a period of two weeks from the date of receipt of copy of this order, failing which, the petition for anticipatory bail shall stand automatically dismissed.

5.This Miscellaneous Petition is ordered accordingly.

-sd/-
05/03/2021

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.

सत्यमेव जयते

TO

1 THE METROPOLITAN MAGISTRATE,
NO.XVII, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VADAPALANI POLICE STATION,
CHENNAI-26.

+1 C.C. to M/S.R.C.PAUL KANAGARAJ Advocate on payment of
necessary charges SR.NO.3061

Order

in
CRL MP.2563/2021

in
CRL OP.14696/2020

Date :05/03/2021

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TA-17/03/2021



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