

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Ninth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION Nos.2953 & 2954 of 2021

IN

CRL OP.4995/2020

MUTHUKUMAR

[PETITIONER IN BOTH THE PETITIONS]

Vs

STATE REP.BY

[RESPONDENT IN BOTH THE PETITIONS]

ASSISTANT COMMISSIONER OF POLICE,

EDF-III, CCB-II,

CHENNAI.

CR.NO.197 OF 2019.

Petitions praying that in the circumstances stated therein the High Court will be pleased to

(i)grand extension of time for a further period of fifteen days so as to enable the petitioner to comply with the condition of this Honble court made in Crl.MP.No.779/2021 in Crl.OP.no.4995 of 2020 dated 11.02.2021 by appreciating the above stated facts and circumstances.(IN CRL.M.P.No.2953/2021)

(ii)modify the condition imposed on him by this Honble court in Crl.OP.No.4995 of 2020 dated 23.09.2020 to the effect that the petitioner shall be permitted to furnish the title deeds of his friend or relatives for the worth of Rs.20 lakh (Twenty lakhs) instead of insisting him to furnish the title deeds of his own for the said value.(IN CRL.M.P.No.2954/2021)

Order : These petitions coming on for orders upon perusing the petitions and upon hearing the arguments of M/S.T.VIJAYARAGAVAN, Advocate for the petitioner(IN BOTH THE PETITIONS) and of M/S.T.SHUNMUGARAJESWARAN Government Advocate (Crl.Side) on behalf of the Respondent(IN BOTH THE PETITIONS)the court made the following order:-

Learned counsel appearing for the petitioner would submit that the petitioner has been granted bail by this Court vide order dated 23.09.2020 in CrI.O.P.No.4995 of 2020 on condition to furnish the original title deeds of the immovable property worth about Rs.20 Lakhs to the credit of Crime No.197 of 2019 before the learned Judicial Magistrate-1, Alandur, Chennai.

2.Learned counsel would further submit that the petitioner suffered heart ailment and on medical advice he underwent surgery on 02.11.2020, thereby, he had filed a petition in CrI.M.P.No.7440 of 2020 seeking to extend the time to comply with the order of this Court dated 23.09.2020 made in CrI.O.P.No.4995 of 2020. This Court vide order dated 16.12.2020 had extended a further period of two weeks to surrender and execute sureties. After coming out of the hospital, the petitioner took sincere steps to arrange for property documents worth Rs.20 Lakhs to furnish sureties and he was unable to arrange for the same. His father who has initially agreed to give his title deeds worth Rs.20 Lakhs had backed out and the petitioner was unable to furnish title deeds, had filed a petition in CrI.M.P.No.799 of 2021 to grant of extension of time for a further period of fifteen days to enable him to comply with the condition and the same was ordered as prayed for.

3.Learned counsel would further submit that the petitioner's friend has now agreed to give his title deeds in respect of the immovable property worth Rs.20 Lakhs and thereby the present petitions have been filed, seeking for modification of the condition imposed in clause (c) of the order dated 23.09.2020 and to extend a further period of fifteen days to execute sureties.

4.Learned Government Advocate (CrI. Side) would vehemently oppose stating that the bail was granted to the petitioner as early as on 23.09.2020 and the petitioner is coming up with one or the other petitions to protract the proceedings, accordingly prays for dismissal of the same.

5.Heard the counsels.

6.Taking into consideration the facts and submissions, the condition imposed in Clause (c) of the order dated 23.09.2020 in CrI.O.P.No.4995 of 2020 is hereby modified to the effect that the petitioner shall furnish the original title deeds of property worth Rs.20 Lakhs which stands either in the name of his relatives or in the name of his friends to the credit of Cime No.197 of 2019 before the learned Judicial Magistrate-1, Alandur, Chennai and a further period of two weeks is extended to execute sureties.

7.The other conditions imposed on the petitioner in Crl.O.P.No.4995 of 2020 shall stand unaltered.

-sd/-

29/03/2021

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, ALANDUR, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 ASSISTANT COMMISSIONER OF POLICE,
EDF-III, CCB-II, CHENNAI.

+2 C.C. to M/S.T.VIJAYARAGAVAN Advocate on payment of necessary charges SR.NOs.4193 & 4192

Order

in

CRL MP.2953/2021

in

CRL OP.4995/2020

Date :29/03/2021

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

rvr 29/03/2021