

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.5772 of 2021

1. Sathish @ Saleem
 2. Yogesh @ Lokesh
 3. Stephen Raj
- Petitioners

vs.

State rep. by
The Inspector of Police,
Tiruppur Police Station,
Tiruppur City.
(Crime No.281 of 2018)

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to extend the time to pay the cost in Cr1.MP.No.387 of 2021 order dated 11.02.2021 passed by the Principal Sessions Judge, Tiruppur.

For Petitioners : Mr.J.Pranklin

For Respondent : Mr.M.Mohammed Riyaz,
Additional Public prosecutor

ORDER

This petition has been filed seeking for extension of time to pay the cost imposed by the Court below while allowing the application filed under Section 311 of Cr.P.C.

2. The petitioners filed an application for recall of PW13 for cross examination and the Court below allowed the application by imposing a condition to the petitioners to deposit a cost of Rs.2,000/- on or before 23.02.2021. Due to some reasons, the petitioners were not able to deposit the amount on time and hence, filed an application seeking for extension of time. The Court below returned the application as not maintainable. Aggrieved by the same, the present petition has been filed before this Court.

3. Heard Mr.J.Pranklin, learned counsel for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Taking into consideration the facts and circumstances of the case, the petitioners are directed to deposit the cost of Rs.2,000/- imposed by the Court below on or before 29.03.2021 before the Mediation Centre, Tiruppur. It is made clear that if the petitioners fail to comply with the order, the order passed by the Court below will stand automatically cancelled and the petitioner will forfeit their right to recall PW13 in future.

5. This Criminal Original Petition is disposed of accordingly. The learned Principal Sessions Judge, Tiruppur is directed to complete the proceedings in SC.No.29 of 2019 within a period of three months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Tiruppur Police Station,
Tiruppur City.
2. The Principal Sessions Judge,
Tiruppur.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC.to.M/s. J. Franklin, Advocate, Sr.No.18913

SR11(CO)
SM/24/03/2021 (IT)

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