

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.01.2021

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.8884 of 2020

in

Crl.A.No.901 of 2019

K.Nagendran

... Petitioner

Vs.

State rep by

The Inspector of Police

CBI/ACB/Chennai Sastri Bhavan,
Haddows Road, Nungambakkam.

R.C.No.35/A/2005 and R.C.No.36/A2005

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 Cr.P.C. to grant extension of time for his surrender and to comply the conditions as ordered in Crl.M.P.No.18832 of 2019 in Crl.A.No.901 of 2019 dated 28.12.2019 and to comply the condition to deposit a sum of Rs. One Lakh further to execute a bond for a sum of Rs.10,000/- with two sureties and on further condition to appear before the Trial court on the first working day of every month at 10.30 a.m. pending appeal.

For Petitioner : Mr.Arivazhagan

For Respondent : Mr.K.Srinivasan

Special Public Prosecutor for C.B.I. Cases

O R D E R

(The case has been heard through video conference)

This Criminal Miscellaneous Petition has been filed by the petitioner to grant extension of time for his surrender and to comply with the conditions as ordered in Crl.M.P.No.18832 of 2019 in Crl.A.No.901 of 2019 dated 28.12.2019 of depositing a sum of Rupees One Lakh and to execute a bond for a sum of Rs.10,000/- with two sureties and to appear before the Trial court on the first working day of every month at 10.30 a.m.

2. The learned Counsel for the petitioner would submit that the petitioner was granted suspension of sentence by order dated 20.12.2019 vide Crl.M.P.No.18832 of 2019 in Crl.A.No.501 of 2019 with a direction to deposit a sum of Rs.1 lakh within a period of three weeks from the date of receipt of a copy of this order to the credit of C.C.No.6 of 2006 on the file of the learned II Additional District Judge for CBI Cases, Coimbatore failing which, the suspension of substantive sentence of imprisonment, shall stand vacated. He would

submit that the petitioner was taking steps to surrender. Meanwhile, on 10.01.2020, the petitioner suffered heard ailment and admitted in Apollo Hospital for treatment and he was discharged on 12.01.2020 and due to his ill health, he was unable to surrender within the time. Thereafter, the petitioner filed Crl.M.P.No.1307 of 2020 seeking extension of time and this Court by order dated 31.01.2020 granted two weeks time to surrender. However, due to Covid, the petitioner was unable to surrender and the time granted has expired. Thereby, the present petition has been filed seeking for extension.

2. Heard Mr.K.Srinivasan, Special Public Prosecutor for C.B.I. Cases. He would submit that originally the petitioner was directed to surrender within a period of three weeks by order dated 20.12.2019 and thereafter, further period of two weeks time was extended to surrender and comply with the condition by order dated 31.01.2020. However, the petitioner has not surrendered within the time.

3. Heard the learned Counsels and perused the materials placed on record.

4. Considering the above facts and circumstances, further period of two weeks time is granted to the petitioner to surrender and comply with the conditional order of this Court in Crl.M.P.No.18832 of 2019 in Crl.A.No.901 of 2019 dated 28.12.2019 with cost of Rs,2,000/- (Rupees Two Thousand Only) to be paid to the Legal Services Authority, attached to the concerned Court.

5. Accordingly, this Criminal Miscellaneous Petition is ordered.

-sd/-

19/01/2021

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 II ADDITIONAL DISTRICT
JUDGE FOR CBI CASES, COIMBATORE.

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
CBI/ACB/CHENNAI, SASTRI BHAVAN,
HADDOWS ROAD, NUNGAMBAKKAM.

4 THE ASSISTANT REGISTRAR,
TAMIL NADU LEGAL SERVICES AUTHORITY,
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
LEGAL SERVICES AUTHORITY,
COIMBATORE.

C.C. to M/S. K.MUTHURAMALINGAM Advocate on payment of necessary
charges Sr.495

Order

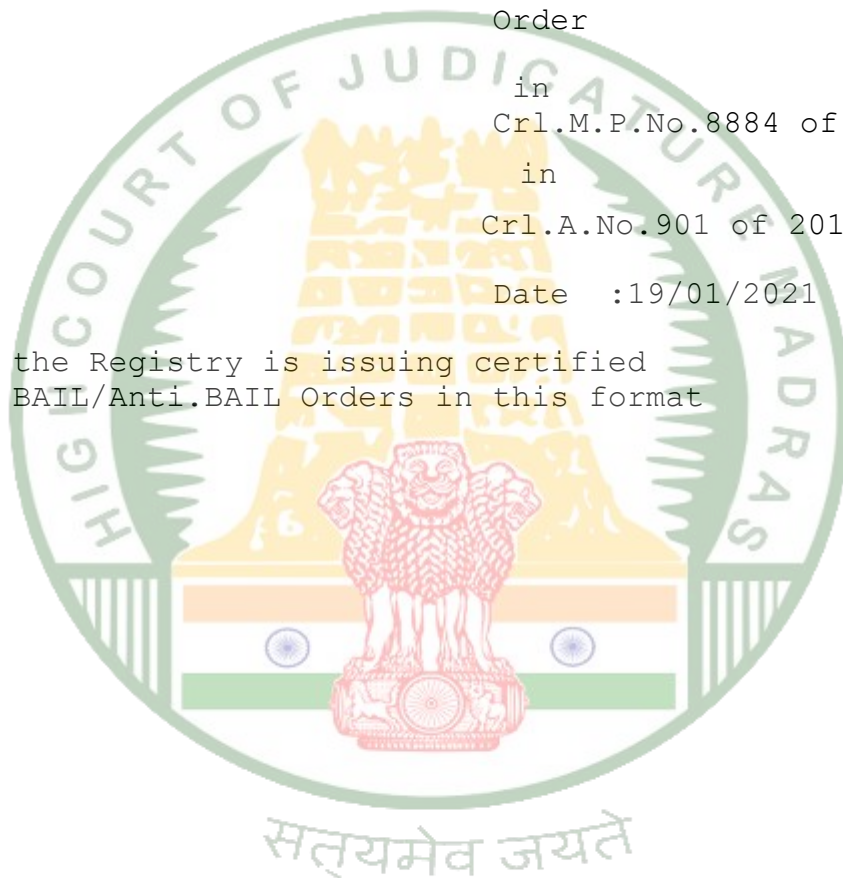
in
Crl.M.P.No.8884 of 2020

in
Crl.A.No.901 of 2019

Date :19/01/2021

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

RVR 25/01/2021



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