



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Sixth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.1138 of 2021
IN CRL OP(MD) No.10041 of 2020

P.SAKTHI

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NILAKKOTTAI POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.6 OF 2020.

... RESPONDENT/ COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant extension the time of the operation of the order in Crl.O.P. (MD) No.10041 of 2020 dated 21/09/2020 on the file of this Honourable Court and thus render justice.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.PALMURUGAN, Advocate for the petitioner and of Mr.R.SRINIVASAN, Government Advocate(Crl.Side) on behalf of the Respondent, the court made the following order:-

This petition is filed to extend the time limit of the petitioner's surrender and execute sureties in Crl.O.P(MD)No.10041 of 2020, dated 21.09.2020.

2.The learned counsel appearing for the petitioner submitted that the petitioner was granted anticipatory bail by this Court in Crl.O.P.(MD).No.10041 of 2020, dated 21.09.2020, and one of the condition is that the petitioner has to execute sureties within a period of four weeks from the date of receipt of a copy of that order. Since the petitioner is working in Indian Army at Rajasthan Border and he had come only 30 days leave in the month of September, he was unable to execute the sureties within a stipulated period. He further submitted that the leave not extended by the Army officials. Since he had not joined the duty, he would face prosecution from the Army officials. Thereafter, now the petitioner had come 30 days leave from 05.02.2021 to 07.03.2021 and leave certificate has also been produced before this Court. Hence, he seeks extension of time.



3.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.Side) for the respondent.

4.Considering the submission made by the learned counsel appearing for the petitioner, this petition is ordered and the petitioner is directed to execute the sureties on or before 05.03.2021, failing which the anticipatory bail already granted by this Court shall stand cancelled. In the meanwhile, notwithstanding in execution of sureties, if the petitioner is required to appear before the respondent Police for the purpose of investigation, he shall cooperate with the investigation after receiving notice and otherwise he shall appear before them as and when required.

5.Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
26/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI, DINDIGUL DISTRICT.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3 THE INSPECTOR OF POLICE
NILAKKOTTAI POLICE STATION, DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.PAL MURUGAN, Advocate (SR-1528[I] dated 26/02/2021)

ORDER IN
CRL MP(MD) No.1138 of 2021
IN CRL OP(MD) No.10041 of 2020
Date :26/02/2021

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vsg

<https://hdcvcs.ecourts.gov.in/Services/MS/EN/GR/Doc/0/6/3.2021/2P.6C>