



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

Wednesday, the Third day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.1708 of 2021

IN

CRL OP(MD) No.13954 of 2020

K.SELVA SENTHIL

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE THROUGH:

THE INSPECTOR OF POLICE
TOWN WEST POLICE STATION,
DINDIGUL,
DINDIGUL DISTRICT.
(CRIME.NO. 2501 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 Extend the time granted in Crl.MP(MD).No.7923 of 2020 in Crl.OP.(MD).No.13954 of 2020 dated.4.1.2021.

Prayer in CRL MP(MD) . 7923/ 2020 :

To modify the condition imposed in Crl.O.P.(MD)No.13954 of 2020 dated 03.12.2020 directing the petitioner to deposit the amount before the Hon`ble Judicial Magistrate Court No.1, Dindigul, Dindigul District to extend the time for abiding the condition.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.C.SUSIKUMAR, Advocate for the petitioner and of MR.K.SUYAMBULINGA BHARATHI, 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 to comply the order passed in Crl.O.P.(MD).No.13954 of 2020, dated 04.01.2021.

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.13954 of 2020, 03.12.2020, directing the petitioner to pay a sum of Rs.3,00,000/- to the defacto complainant directly. In respect of the petitioner has filed a petition in Crl.M.P.(MD).



No.7923 of 2020 and this Court by order dated 04.01.2021, directing the petitioner to pay a sum of Rs.3,00,000/- to the defacto complainant directly and considering the apprehension of the petitioner, a direction was issued to the defacto complainant to file an affidavit before the Concerned Court to the effect that the receipt of the said amount received by the defacto complainant. Thereafter, on 22.02.2021, the petitioner and the defacto complainant appeared before the lower Court and the petitioner has paid a sum of Rs.3,00,000/- directly to the defacto complainant. The defacto complainant received the same and thereafter, when he was asked to file an affidavit, he refused to do so. Therefore, the sureties could not be executed by the petitioner and a sum of Rs.3,00,000/- was returned to the petitioner. Even today, the petitioner is ready and willing to pay a sum of Rs.3,00,000/- to the defacto complainant. Due to non cooperation of the defacto complainant, he was not able to execute sureties. 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 reasons stated in the petition, this Court is inclined to modify the condition. Accordingly, the condition stands modified to the effect that the petitioner is directed to deposit a sum of Rs.3,00,000/- to the credit of Crime No.2501 of 2020 before the trial Court and the time for surrender of the petitioner before the concerned Court and executing the sureties is extended by one week from the date of receipt of a copy of this order, failing which the anticipatory bail already granted by this Court shall stand cancelled. It is made clear that no further extension will be granted and if the petitioner fails to comply with the order within the stipulated period, the respondent police shall secure the petitioner and proceed in accordance with law.

5.Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
03/03/2021

/ 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



TO

1 THE JUDICIAL MAGISTRATE COURT NO.1,
DINDIGUL, DINDIGUL DISTRICT

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3 THE INSPECTOR OF POLICE
TOWN WEST POLICE STATION, DINDIGUL,
DINDIGUL DISTRICT.

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

+1. C.C. to M/S.C.SUSIKUMAR, Advocate SR.No.1713

ORDER
IN
CRL MP(MD) No.1708 of 2021
IN
CRL OP(MD) No.13954 of 2020
Date :03/03/2021

NR/PN/SAR-IV(05.03.2021) 3P:6C