



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

Monday, the Twenty Second day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.2067 of 2021

IN

CRL OP(MD) No.10693 of 2020

M.RAJALINGAM

... PETITIONER/ACCUSED No.1

Vs

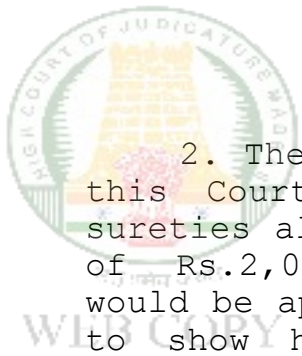
THE STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUVERAMBUR POLICE STATION,
THIRUVERAMBUR,
TRICHY DISTRICT.
CRIME NO. 05 OF 2018.

... 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 which has been granted to the Petitioner by an order of this Hon'ble Court dated 02.11.2020 made in Crl.OP.(MD).No.10693 of 2020 while releasing them on Anticipatory Bail in connection with Cr.No.05 of 2018 on the file of the Inspector of Police, Thiruverambur Police Station, Trichy District forthwith.

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.J.SANKARA PANDIAN, Advocate for the petitioner and of Mr.M.V.CHANDRASEKARAN, Government Advocate(Crl. Side) on behalf of the Respondent, the Court made the following order:-

The learned counsel for the petitioner would submit that the petitioner was granted anticipatory bail by this Court on 02.11.2020 in Crl.O.P(MD) No.10693 of 2020 with a condition to deposit a sum of Rs.2,00,000/- to the credit of Cr.No. 05 of 2018 before the learned Judicial Magistrate No.VI, Trichy and on such deposit the petitioner is ordered to be released on bail in the event of arrest or his appearance within a period of fifteen days from the date of receipt of a copy of this order before the learned Judicial Magistrate No.VI, Trichy. Thereafter they are unable to mobilize the funds and hence had approached this Court in Crl.M.P(MD) No.2067 of 2021 seeking extension of time.



2. The said miscellaneous petition was listed on 16.03.2021 and this Court had observed that with regard to the execution of sureties alone 15 days time has been given and insofar as deposit of Rs.2,00,000/- is concerned there is no time limit and hence it would be appropriate for the petitioner to deposit the said amount to show his *bonafide* and thereafter only, the time extension petition will be considered. The counter part of the petitioner appeared before the lower Court on 17.03.2021 and filed a memo seeking the lower court to receive the amount of Rs.2,00,000/-. The learned Judicial Magistrate No.VI, returned the memo observing that " it is not known to the Court whether the Hon'ble High Court orally dictated the petitioner to deposit the amount or not, hence the petition is returned". The Advocate who filed the memo is not a stranger to the Court and he is filing the memo showing inclination to deposit a sum of Rs.2,00,000/- in the said crime number and hence no prejudice would be caused either to the petitioner or the defacto complainant in this case by way of accepting the deposit before the trial Court. It is strange to note how as to how the counsel would prove the oral observation made before the proceedings in the High Court. To act with wisdom, returning the memo making some observation is inappropriate.

3. In view of the same, this petition is ordered and the time for surrendering before the concerned Court and executing the sureties is extended by two weeks 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 this order within the stipulated period, the respondent police shall secure the petitioner and proceed in accordance with law.

4. Accordingly, this Criminal Miscellaneous Petition is allowed. The learned counsel for the petitioner is directed to represent the papers before the learned Judicial Magistrate No.VI, Trichy along with this order.

sd/-
22/03/2021

/ TRUE COPY /

/ /2021

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI,
TRICHY, TRICHY DISTRICT.

2. -DO- THOROUGH: THE CHIEF JUDICIAL MAGISTRATE,

TRICHY DISTRICT.

<https://hcservices.certh.gov.in/hcservices>



3. THE INSPECTOR OF POLICE,
THIRUVERAMBUR POLICE STATION,
THIRUVERAMBUR, TRICHY DISTRICT.

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

ORDER

IN

CRL MP(MD) No.2067 of 2021

IN

CRL OP(MD) No.10693 of 2020

Date :22/03/2021

aav

AE/JC/ (25/03/2021) 3P / 5C