



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

Wednesday, the Seventh day of April Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL MP(MD) No.2973 of 2021
in
CRL RC(MD)No.209 of 2021

G.A.M.DHANDAPANI

... PETITIONER/REVISION PETITIONER

Vs

P.A.ATHISAYAM

... RESPONDENT/REVISION RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to exempt the revision petitioner to extent the time for a period of two weeks from the date of receipt of the order in CRL MP (MD)No.2289 of 2021 dated 18.3.2021 in CRL RC(MD)No.209 of 2021 on the file of this Hon'ble Court.

PRAYER IN CRL MP(MD)No.2289 of 2021 IN CRL RC(MD)No.209 of 2021:

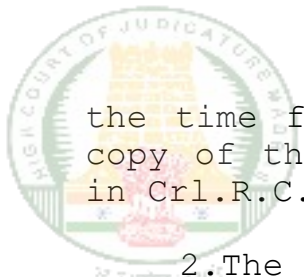
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the execution of sentence by granting bail in Crl.A.No.23/2019 dated 11.01.2021 on the file of the Learned Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court) Theni in S.T.C.No.715/2011 dated 11.03.2019 on the file of the Learned Judicial Magistrate Cum(Fast Track Court), Uthamapalayam, Theni District.

PRAYER IN CRL RC(MD)No.209 of 2021:

To call for the records from the lower court and to duly set aside the judgment passed by the learned Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court), Theni in Crl.A.No.23/2019 dated 11.01.2021 confirming the learned Judicial Magistrate Cum(Fast Track Court), Uthamapalayam, Theni in S.T.C.No.715 of 2011 dated 11.03.2019.

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.SENTHIL KUMAR, Advocate for the petitioner and of Mr.A.JOSEPH JERRY, Advocate on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to extend
<https://hcservices.ecourts.gov.in/hcservices/>



the time for a period of two weeks from the date of receipt of a copy of this order in Crl.M.P(MD)No.2289 of 2021, dated 18.03.2021 in Crl.R.C.(MD)No.209 of 2021 on the file of this Court.

2.The learned counsel for the petitioner submitted that as per above said order, the petitioner appeared before the learned Judicial Magistrate, Uthamapalayam, Theni District, to execute the surety but the learned Judicial Magistrate, returned the surety memo on the ground that the amount of Rs.1,50,000/- was not paid. He further stated that the amount of deposit Rs.1,50,000/- is up to time limit 06.04.2021. But the learned Magistrate refused to receive the surety memo on the ground that the amount is not paid. Hence, he prays for extension of time.

3.There is no strong objection on the side of the respondent.

4.On perusal of order passed by this Court it reveals that the petitioner was directed to deposit a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) before the learned Judicial Magistrate Cum Fast Track Court, Uthamapalayam, on or before 06.04.2021. But 06.04.2021 was declared as holiday due to State Election. Hence the order passed by the learned Magistrate, returning the surety memo on 05.04.2021 on the ground that the amount of Rs.1,50,000/- was not paid, is not correct.

5.Being satisfied with the reasons stated in the affidavit filed in support of the petition and in the interest of justice, this petition is allowed and the time is extended till 09.04.2021.

sd/-
07/04/2021

/ 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 SESSIONS JUDGE, MAHALIR NEETHIMANDRAM,
(FAST TRACK MAHILA COURT), THENI.

2.THE JUDICIAL MAGISTRATE CUM FAST TRACK COURT,
UTHAMAPALAYAM, THENI DISTRICT.

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



3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

+1. C.C. to Mr.J.SENTHIL KUMAR Advocate SR.No.2959

WEB COPY

ORDER

IN

CRL MP (MD) No.2973 of 2021

in

CRL RC (MD) No.209 of 2021

Date :07/04/2021

VSD

TK/JC/SAR.2/08.04.2021/3P/5C