



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Fifth day of August Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) Nos.5326 & 5324 of 2021

IN

CRL OP(MD) No.2799 of 2021

1 S.RENJITH SINGH
2 S.EMIL JEBASINGH

... PETITIONERS/PETITIONERS
IN BOTH THE PETITIONS

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.71 OF 2021

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant extension of time granted in the order made in Crl.OP(MD)No.2799 of 2021 dated 23.02.2021 on the file of this Honble Court.

Prayer in CRL MP(MD) . 5324/ 2021 :

To modify the condition imposed in Crl.OP(MD)No.2799 of 2021 dated 23.02.2021 on the file of this Hon'ble Court instead of executing sureties before Judicial Magistrate No.II, Kuzhithurai, the Petitioners may be permitted to execute sureties before the Judicial Magistrate, Valliyoor.

Order : These petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of Mr.C.MAYILVAHANA RAJENDRAN, Advocate for the petitioners in both petitions and of Mr.P.KOTTAI CHAMY, Government Advocate(crl.side) on behalf of the Respondent in both petitions, the court made the following order:-



Crl.M.P.(MD)No.5326 of 2021 has been filed seeking extension of time to comply the conditions imposed by this Court vide order dated 23.02.2021 in Crl.O.P.(MD)No.2799 of 2021.

WEB COPY

2. Crl.M.P.(MD)No.5324 of 2021 has been filed seeking to modify the condition of executing sureties before the learned Judicial Magistrate No.II, Kuzhithurai and permit the petitioners to execute sureties before the learned Judicial Magistrate, Valliyoor.

3. The learned counsel appearing for the petitioners would submit that it is a case in counter. The defacto complainant is an Advocate. Since a resolution was passed against the petitioners, none of the Advocates is ready to appear on behalf of the petitioners. Therefore, while granting anticipatory bail to the petitioners, this Court, by considering the expression of inability to execute the sureties before the learned Judicial Magistrate No.II, Kuzhithurai, directed the petitioners to execute a bond for a sum of Rs.10,000/- to the satisfaction of the respondent Police. Pursuant to the direction of this Court, the petitioners executed sureties before the respondent Police. But, it was informed that the learned Judicial Magistrate No.II, Kuzhithurai, has not accepted the sureties executed before the respondent Police and directed the petitioners to execute the sureties once again before the learned Judicial Magistrate No.II, Kuzhithurai. The respondent Police also informed that if the sureties are not executed before the learned Judicial Magistrate No.II, Kuzhithurai, they will be arrested. Hence, the petitioners seek permission to execute the sureties before the learned Judicial Magistrate, Valliyoor and also seek extension of time to comply with the conditions.

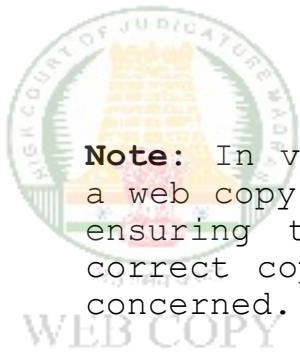
4. Heard the learned Government Advocate(Criminal Side) appearing for the State.

5. Considering the submissions made by the learned counsel for the petitioners, both the petitions are allowed as prayed for and the time is extended by ten days from the date of receipt of a copy of this order for the petitioners to comply the conditions imposed by this Court vide order dated 23.02.2021 in Crl.O.P.(MD)No.2799 of 2021.

sd/-
05/08/2021

/ 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 NO.II, KUZHITHURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT.

3 THE JUDICIAL MAGISTRATE, VALLIYOOR

4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

5 THE INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. C.C. to Mr.MAYILVAHANA RAJENDRAN C Advocate SR.No.5122

ORDER

IN

CRL MP(MD) Nos.5326 & 5324 of 2021
IN

CRL OP(MD) No.2799 of 2021

Date :05/08/2021

SA/JM/SAR.3/16.08.2021/3P/8C