



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/12/2021

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CRL OP(MD). No.12925 of 2021

1. P. Gujili @ Renganthan

2. R.Ramesh

... Petitioners/Accused 1&2

Vs

The Sub Inspector of Police,
Ariyamangalam Police Station (L and O),
Trichy City.
Cr.No.359 of 2020.

... Respondent/Complainant

For Petitioners : M/s. Ptichai Muthu.M.,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

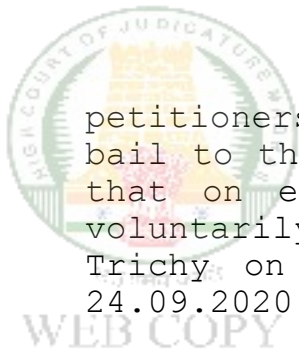
PRAYER :-

To call for the entire records pertaining to the order passed by the Principal Sessions Judge, Trichy, Trichy District in Cr.M.P.3119/2021 in Cr.M.P.No.2603/2020 dated 18/08/2021 and set aside the same and consequently extent the time granted in Cr.M.P.No.2603 of 2020.

ORDER : The Court made the following order :-

This petition has been filed to call for the entire records pertaining to the order passed by the Principal Sessions Judge, Trichy, Trichy District in Cr.M.P.3119/2021 in Cr.M.P.No.2603/2020 dated 18/08/2021 and set aside the same and consequently extent the time granted in Cr.M.P.No.2603 of 2020.

2. The learned counsel appearing for the petitioners would submit that the petitioners were arrested and remanded to judicial custody on 17.07.2020 by the respondent police. Thereafter, the petitioners have filed a petition in Cr.M.P.No.2603 of 2020 for grant of bail before the learned Principal Sessions Judge, Trichy. The learned Principal Sessions Judge, Trichy had granted bail to the



petitioners by an order dated 27.07.2020. However, while ordering bail to the petitioners, the learned Magistrate imposed a condition that on executing their own bond and after release, they shall voluntarily surrender before the learned Judicial Magistrate No.VI, Trichy on any working day during the period from 08.09.2020 to 24.09.2020 and execute the sureties.

3.The learned counsel for the petitioners submitted that because of the continuous lock down due to Covid-19 and the restrain of physical appearance before the lower courts, they were not able to appear before the magistrate Court and execute the sureties. Since the time granted by the Principal Sessions Judge, Trichy, Trichy District has lapsed, the petitioners have filed a petition under Section 439(2) of Cr.P.C in Cr.M.P.3119 of 2021 to extend the time granted for surrender and execution of sureties before the concerned Court and the same was dismissed on 18.08.2021. Hence, the present petition is filed.

4. Per contra, the learned Additional Public Prosecutor would submit that the investigation has been completed and a final report was filed before the learned Judicial Magistrate No.6, Trichy, on 02.09.2020 and the same was not taken on file so far.

5.Since final report was filed, there shall be a direction to the learned Judicial Magistrate No.VI, Trichy to process the final report as per rule and the time is extended by fifteen days from the date of receipt of a copy of this order, for the petitioners to comply with the order dated 27.07.2021 made in Cr.M.P.No.2603 of 2020 on the file of the learned Principal Sessions Judge, Trichy.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TTA

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 Principal Sessions Judge, Trichy.
- 2.The Judicial Magistrate No.VI, Trichy.
- 3.The Sub Inspector of Police,
Ariyamangalam Police Station (L and O),
Trichy City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.PITCHAI MUTHU, Advocate (SR-39179[F] dated 16/12/2021)

ORDER
IN
CRL OP(MD) No.12925 of 2021
Date : 15/12/2021

RK(25/01/2022) 3P 6C