



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

Tuesday, the Twenty First day of December Two Thousand and Twenty One

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) Nos.9439 & 9833 of 2021
IN
CRL OP(MD) No.9601 of 2021

N.K.PAULOSE KUTTY

... PETITIONER/PETITIONER
IN BOTH CRL MP'S

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY, MADURAI.
(CRIME NO.21 OF 2021)

... RESPONDENT/RESPONDENT
IN BOTH CRL MP'S

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an order extending the time on the conditions imposed to the petitioner to furnish the sureties and to deposit the amount in Crl.O.P. (MD) No. 9601 of 2021 dated. 30.09.2021 and pass further orders.

Prayer in Crl.MP(MD)No.9833 of 2021:

To Pass an order modifying the conditions imposed on the Petitioner directing him to deposit the amount while furnishing sureties in Crl.O.P.(MD)No.9601 of 2021 dated 30.09.2021.

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. B.BRIJESH KISHORE, Advocate for the petitioner in both Crl.MP's and of MR.P.KOTTAI CHAMY, GOVERNMENT ADVOCATE (CRL.SIDE) on behalf of the Respondent in both Crl.MP's, the court made the following order:-

Crl.M.P.(MD)No.9439 of 2021 has been filed seeking extension of time to comply with the conditions imposed by this Court while granting anticipatory bail to the petitioner, on 30.09.2021.



2.Crl.M.P.(MD)No.9833 of 2021 has been filed to modify the conditions imposed by this Court while granting anticipatory bail to the petitioner, on 30.09.2021.

3.The learned counsel appearing for the petitioner submitted that this Court, while granting anticipatory bail, directed the petitioner to deposit a sum of Rs.20,00,000/- to the credit of Cr.No.21 of 2021 before the learned Judicial Magistrate No.I, Madurai. Since the petitioner's property was ordered to be attached, vide order dated 06.12.2021 passed by the learned Principal District Munsif and Sessions Judge, Madurai, it is very difficult for the petitioner to mobilize Rs.20,00,000/- to be deposited as directed by this Court. Therefore, the petitioner has filed these petitions for modification and extension of time.

4.When this Court expressed its opinion that this Court is not inclined to modify the condition, the learned counsel appearing for the petitioner requested this Court to allow the petition for extension of time to deposit the said amount, stating that pursuant to the order passed by the High Court of Kerala, in W.P.(C) No.15590 of 2021, dated 10th December 2021, the petitioner would receive some substantial amount on or before 31.01.2022 and therefore, he requested to extend the time till 31.01.2022.

5.In view of the said submissions made by the learned counsel for the petitioner, time is extended till 31.01.2022, enabling the petitioner to deposit Rs.20,00,000/- to the credit of Cr.No.21 of 2021 before the learned Judicial Magistrate No.I, Madurai and to execute the bond and also to furnish the sureties before the concerned Magistrate. It is made clear that no further time will be extended.

6.If the petitioner fails to deposit the said amount within the time stipulated by this Court, the anticipatory bail granted to the petitioner would stand automatically cancelled and it is open to the respondent Police to secure the petitioner on the date of expiry of period extended by this Court.

7.Accordingly, Crl.M.P.(MD)No.9439 of 2021 is allowed and Crl.M.P.(MD)No.9833 of 2021 is dismissed.

sd/-
21/12/2021

/ TRUE COPY /

/ /2022
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.

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- TO
- 1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI
 - 2 DO THOROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI.
 - 3 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY, MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.B.BRIJESH KISHORE, Advocate (SR-9546[I] dated 21/12/2021)

ORDER IN
CRL MP(MD) No.9439 & 9833 of 2021
IN
CRL OP(MD) No.9601 of 2021
Date :21/12/2021

RS/JM/SAR.1(05.01.2022) 3P-6C