



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Second day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.2051 of 2022

IN CRL.O.P.No.25876 of 2017

1 JAI HIND AUTOMATION PVT.LTD [PETITIONERS/ACCUSED]
REP.BY ITS DIRECTORS,

2 SUGATHAN VELLADHAN
3 BABY SUDHASUGATHAN

Vs

KINGFA SCIENCE AND TECHNOLOGY (INDIA) PVT.LTD., [RESPONDENT]
(FORMALLY HYDRO S AND S INDUSTRIES LTD,
REP.BY ITS CHIEF EXECUTIVE OFFICER,

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extend the time by two weeks to surrender before the lower court in pursuance with order dated 29.11.2021 made in Crl.OP.No.25876 of 2017.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.R.SASIKUMAR, Advocate for the petitioner, and of M/S.T.V.SURESH KUMAR, for Genicon & Associates, on behalf of the Respondents the court made the following order:-

This Criminal Miscellaneous Petition has been filed to extend the time by a further period of two weeks to surrender before the Lower Court in pursuance of the order dated 29.11.2021 made in Crl.O.P.No.25876 of 2017.

2. The petitioners are accused in a case filed under Section 138 of N.I.Act by the respondent/complainant and the said case is pending trial from the year 2017. The petitioner had had filed a quash application in Crl.O.P. No.25876 of 2017 before this Court. This Court by order dated 29.11.2021 dismissed the quash application and further directed the petitioners to appear before the trial Court within a period of two weeks from the date of receipt of a copy of this order and file an appropriate petition and also execute a bond.



3. The contention of the petitioners is that though the order has been passed on 29.11.2021, the order was despatched only during January 2022 and thereafter, the petitioners were unable to make arrangements to appear before the trial Court as they are senior citizens from Pune, Maharashtra. They need some time to arrange sureties and therefore, they seek time for two weeks.

4. The learned counsel for the respondent submits that though the order has been passed on 29.11.2021, the petitioners had not executed the sureties within the stipulated period of two weeks.

5. Considering the submissions and on perusal of the materials, it is seen that the order has been passed on 29.11.2021, it has been despatched only on 05.01.2022. Further, the petitioners are senior citizens hailing from Pune, Maharashtra. It will take some time for them to make arrangements to appear before the trial Court.

6. In view of the same, the contention of the petitioners is reasonable and hence this Court grants 15 days time from the date of receipt of a copy of this order for them to appear before the trial Court and to execute the sureties as per the directions of this Court in Crl.O.P.No.25876 of 2017.

7. Accordingly, this petition is ordered.

-sd/-
22/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
FAST TRACK COURT-1, ALLIKULAM, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]



3 THE CHIEF METROPOLITAN MAGISTRATE,
CHENNAI.

+1 C.C. to M/S.R.SASIKUMAR Advocate on payment of necessary
charges SR.NO.2763

Order

in
CRL MP.2051/2022
in
CRL.OP.25876/2017

Date :22/02/2022

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TA-22/02/2022