



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7463 of 2022

1.Purushothaman

2.Ramesh @ Venkatesan

... Petitioners

Vs.

State by
The Inspector of Police,
Sadras Police Station,
Kancheepuram District.

(Crime No.25 of 2020)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to set aside the order of the learned Principal Session Judge made in Crl.M.P.No.245 of 2022 dated 24.01.2022 and subsequently grant extension of time for the petitioner for a period of one week to comply with the order of the learned Principal Session Judge made in Crl.M.P.No.2031 of 2020 dated 15.06.2020.

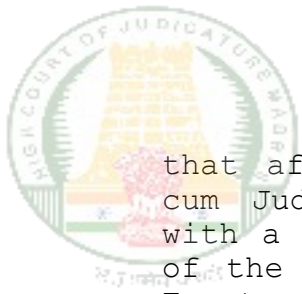
For Petitioners : Mr.G.Babu Ganesh

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking to set aside the order of the learned Principal Sessions Judge, Kancheepuram, made in Crl.M.P.No.245 of 2022 dated 24.01.2022 and to grant extension of time for a period of one week to comply with the order of the learned Principal Sessions Judge, Kancheepuram, made in Crl.M.P.No.2031 of 2020 dated 15.06.2020.

2. Learned counsel for the petitioners would submit that the petitioners are accused in Crime No.25 of 2020 registered for the offence under Section 430, 379 of IPC r/w 21(1) of Mines & Mineral (Developments & Regulation) Act, 1957. The petitioners have applied for bail and were granted bail with a condition



that after their release to appear before the District Munsif cum Judicial Magistrate, Thirukalukundram on 06.07.2020 along with a crossed Demand Draft for Rs.7,500/- each drawn in favour of the Chairman/District Collector, District Mineral Foundation Trust of Kancheepuram District (Non refundable), and to execute a bond for Rs.10,000/- each with two sureties each for a like sum to the satisfaction of the District cum Judicial Magistrate, Thirukalukundram. The petitioners after coming out in bail, due to pandemic, were unable to get any job thereby, they were unable to comply with the condition passed by the learned Principal Sessions Judge in CrI.M.P.No.2031 of 2020 dated 15.06.2020. Thereafter, the petitioners had filed an application in CrI.M.P.No.245 of 2022 seeking extension of time to appear and furnish the sureties, whereas, the learned Judge by an order dated 24.01.2022, had dismissed the application stating the it was filed after huge lapse of time.

3. Learned counsel for the petitioners would further submit that the petitioners are an agricultural coolies and during the pandemic period, due to poor financial condition, they were unable to comply with the order. Now, the petitioners have raised funds and are ready to surrender and comply with the condition.

4.Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the petitioners after release on bail have not complied with the condition.

5. In view of the above, the order passed by the learned Principal Sessions Judge, Kancheepuram, in CrI.M.P.No.245 of 2022 dated 24.01.2022 is set aside and two weeks' time is granted to the Petitioners from the date of receipt of a copy of this order to comply with the the order passed by the learned Principal Sessions Judge, Kancheepuram, in CrI.M.P.No.2031 of 2020 dated 15.06.2020.

6. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

shk/sai



To

1.The Principal Sessions Judge,
Kancheepuram,

2.The Inspector of Police,
Sadras Police Station,
Kancheepuram District.

3.The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.G.Babu Ganesh, Advocate Sr.NO. 23764

Crl.O.P.No.7463 of 2022

smi (CO)

A.SK(11/04/2022)