

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.16372 of 2022

P.Loganathan

...Petitioner

Vs.

State :

Rep. by Inspector of Police,
P-5, M.K.B.Nagar Police Station,
M.K.B.Nagar, Vyasarpadi,
Chennai - 600 039.
(Crime No. 294 of 2022)

...Respondent

Prayer :- Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the dismissed time extension order passed in Crl.M.P.No.10900 of 2022 dated 01.07.2022 in the Anticipatory Bail order vide Crl.M.P.No.8117 of 2022 dated 18.05.2022, passed by the learned Principal District Sessions Judge, Chennai and further direct to extent the time for furnishing sureties before the learned X Metropolitan Magistrate, Egmore, Chennai, in the Anticipatory Bail order vide Crl.M.P.No.8117 of 2022, dated 18.05.2022, passed by the Principal District Sessions Judge, Chennai.

For Petitioner : Mr.A.Tamilselvan

For Respondent : Mr.V.J.Priyadarsana
Government Advocate
(Criminal Side)

ORDER

This petition has been filed to set aside the dismissal order dated 01.07.2022 in Crl.M.P.No.10900 of 2022 in Crl.M.P.No.8117 of 2022 passed by the learned Principal District Sessions Judge, Chennai and further direct to extent the time for furnishing sureties before the learned X Metropolitan Magistrate, Egmore, Chennai, in Crl.M.P.No.8117 of 2022, dated 18.05.2022, passed by the Principal District Sessions Judge, Chennai.

2. The learned counsel for the petitioner would submit that the petitioner was suffering from viral fever, hence, he could not surrender before the Magistrate and produce sureties within time. Therefore, he prays time to surrender and execute the sureties.

3. The learned Government Advocate (Criminal Side) would submit that the Court below had dismissed the petition filed by the petitioner for extension of time in CrI.M.P.No.10900 of 2022 in CrI.O.P.No.8117 of 2022 dated 01.07.2022.

4. Considering the facts and circumstances of the case, the order dated 01.07.2022 in CrI.M.P.No.10900 of 2022 in CrI.M.P.No.8117 of 2022 passed by the learned Principal District Sessions Judge, Chennai is hereby set aside and this petition is ordered subject to the following condition:

"the petitioner is directed to pay a sum of Rs.5,000/- (Rupees five thousand only) as cost to the Tamil Nadu State Legal Services Authority, Chennai and on such payment the petitioner is directed to surrender and execute the sureties as ordered by the learned Principal District Sessions Judge, Chennai, on or before 29.07.2022, failing which, the order passed by this Court shall stand automatically cancelled.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

JPL

To

1.The Principal District Sessions Judge,
Chennai.

2.The X Metropolitan Magistrate,
Egmore, Chennai.

3.The Inspector of Police,
P-5, M.K.B.Nagar Police Station,
M.K.B.Nagar,
Vyasarpadi,
Chennai - 600 039.

4.The Public Prosecutor,
High Court, Madras.

Copy To

The Officer in-charge,
Tamil Nadu Legal Services Authority,
Chennai.

+2ccs to Mr.A.Tamilselvan, Advocate Sr.No.47659

Crl.O.P.No.16372 of 2022

JPL(CO)
RVM(20/07/2022)