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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Nineteenth day of January

Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD). No.560 of 2022

in

CRL.O.P(MD) NO.15746 OF 2019

1. B. Seenivasa Perumal
2. Bharathi
3. Ponmari

... Petitioners/Petitioners

Vs

1. The Inspector of Police,
Masar Patti Police Station,
Ettayapuram Taluk,
Thoothukudi District.

2. M. Amutha

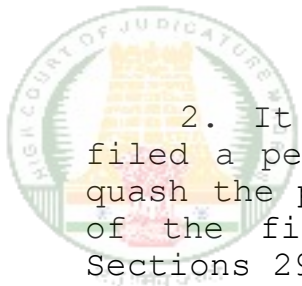
... Respondents/Respondents

Prayer CRL MP(MD). No.560 of 2022:- Criminal Miscellaneous Petition filed under section 482 of Criminal Procedure Code, pleaded to grant extension of time for the period of 1 week in respect of the Crl.O.P.(MD) No. 15746 of 2019 dt. 31/10/2019.

Prayer in CRL OP(MD). 15746/ 2019 :Criminal Original Petition is filed under section 482 of Cr.P.C., to call for the records in Cr No. 84/2018 on the file of the respondent police.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. P. Banuprasath, Advocate for the Petitioner and of Mr. R. Sivakumar, Government Advocate for the 1st respondent, this Court made the following order:

This petition has been filed seeking orders for extension of time to comply with the order passed in Crl.O.P(MD) No.15746 of 2019, dated 31.10.2019.



2. It is evident from the records that the petitioners have filed a petition in Crl.O.P(MD) No.15746 of 2019 seeking orders to quash the proceedings in Crime No.84 of 2018, pending on the file of the first respondent police, for the alleged offences under Sections 294(b), 323, 506(i) of IPC and Section 4 of TNPHW Act.

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3. This Court, after recording the Joint Memo of Compromise entered into between the petitioners and the second respondent/defacto complainant, has passed an order of quashing the FIR in Crime No.84 of 2018 and further directed the petitioners to pay a sum of Rs.5000/- as costs, to the credit of Chief Justice Relief Fund (Payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of a copy of that order.

4. The learned counsel for the petitioners would submit that the counsel appearing for the petitioners before the trial court has not furnished the copy of the order to the petitioners and as such, they were not in a position to comply with the conditional order passed by this Court and hence, the petitioners seek time to comply with the order. He would further submit that the second petitioner is now selected as a Fireman in Tamil Nadu Uniform Service Recruitment Board 2020, and that the respondent police informed about the criminal case pending against him. Hence, the above seeking further time to comply with the condition.

5. The learned Government Advocate (Criminal Side) appearing for the first respondent would submit that they are not having any serious objection and that the petitioners may be imposed with heavy cost.

6. Considering the above and the reason assigned by the petitioners, this Court is inclined to grant time. Accordingly this petition is allowed. The petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from today.

Sd/-

Assistant Registrar (CS III)

// True Copy //

20/01/2022

Sub Assistant Registrar (CS IV)



TO

The Inspector of Police,
Masar Patti Police Station,
Ettayapuram Taluk,
Thoothukudi District.

Copy to:

1. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer,
Account Section,
Madurai Bench of Madras High Court,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

KB
20/01/2022
3P/5C

ORDER DATED : 19/01/2022

=====
EXTENSION OF TIME
=====

CRL MP(MD) . No.560 of 2022
in
CRL.O.P(MD) NO.15746 OF 2019

Giving direction and etc.
as stated within.