



Crl.O.P.No.4057 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :07.03.2023

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4057 of 2023

1.R.Dinesh

S/o.D.Ramachandran

2.Sarala

W/o.Dinesh

... Petitioners

Vs.

State represented by its,
The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.

Crime No.327 of 2022

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to set aside the order passed in Crl.M.P.No.2726 of 2023 in Crl.M.P.No.25093 of 2022 on the file of the Principal Sessions Judge, Chennai and consequently to extend the time to surrender and to execute a bond with two sureties as conditions imposed in Crl.M.P.No.25093 of 2022 dated 19.12.2022 on the file of the Principal Sessions Court, Chennai.

For Petitioners
For Respondent

: Mr.P.A.K,Prakash
: Mr.N.S.Suganthan
Government Advocate(Crl.Side)



Crl.O.P.No.4057 of 2023

WEB COPY

ORDER

This Criminal Original petition has been filed seeking to set aside the order passed in Crl.M.P.No.2726 of 2023 in Crl.M.P.No.25093 of 2022 on the file of the Principal Sessions Judge, Chennai and consequently to extend the time to surrender and to execute a bond with two sureties as conditions imposed in Crl.MP.No.25093 of 2022 dated 19.12.2022 on the file of the Principal Sessions Court, Chennai.

2. The learned counsel for the petitioners submitted that the petitioners were granted anticipatory bail by order dated 19.12.2022 by the learned Principal Sessions Judge, Chennai in Crl.M.P.No.25093 of 2022 on certain conditions. One of the bail condition imposed was that ***“petitioners shall execute the bond with two sureties before the learned VIII Metropolitan Magistrate, Chennai, and report before the respondent police daily at 10.00 a.m., until further orders”***. Subsequently, the second petitioner's mother fell ill. The second petitioner being the daughter and the first petitioner being the son-in-law had to take care of her. Hence, the petitioners were unable to execute the bond within the period mentioned in the order in Crl.M.P.No.25093 of 2022. Hence, the petitioners filed a



Crl.O.P.No.4057 of 2023

petition before the Court below for extension of time in Crl.M.P.No.2726 of 2023 and the same was dismissed on 07.02.2023. Hence, the present petition has been filed before this Court to set aside the order in Crl.M.P.No.2726 of 2023 dated 07.02.2023 and consequently extend time to the petitioners to surrender and execute the bonds as directed by the Court below in Crl.MP.No.25093 of 2022 dated 19.12.2022.

3.Heard,Mr.N.S.Suganthan, learned Government Advocate(Crl.Side) appearing for the respondent.

4. Taking into consideration the facts and the submission made by the learned counsel for the petitioners, the order passed in Crl.M.P.No.2726 of 2023 in Crl.M.P.No.25093 of 2022 on the file of the Principal Sessions Judge, Chennai is setaside and two weeks time is granted to the petitioner to comply the conditions as directed by Court below in Crl.MP.No.25093 of 2022 dated 19.12.2022, on condition that the petitioners shall deposit a sum of Rs.1,000/- each to the credit of Legal Service Authority, attached to the concerned Court, from the date on which the order copy is made ready.



Crl.O.P.No.4057 of 2023

It is made clear that no further extension will be granted. The other conditions remains unaltered.

5. Accordingly, this Criminal Original Petition is ordered.

07.03.2023

mpa

To

1.The Principal Sessions Judge, Chennai.

2.The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.

3.The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl.O.P.No.4057 of 2023

A.D.JAGADISH CHANDIRA.J.,

mpa

Crl.O.P.No.4057 of 2023

07.03.2023