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Crl.M.P.No.13201 of 2023

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in

Crl.A.No.242 of 2023

M. NIRMAL KUMAR, J.

This petition is filed seeking to extend the time granted in Crl.M.P.No.3327 of 2023 in Crl.A.No.242 of 2023 dated 08.03.2023, i.e., the petitioner shall surrender before the above said Court after the interim suspension of sentence of three months is over.

2. This Court, by an order dated 08.03.2023, suspended the sentence and granted interim bail to the petitioner for a period of three months with certain conditions. One of the conditions is that the petitioner shall surrender before the Judicial Magistrate Court, Namakkal, after the interim suspension of sentence period of three months is over. Now, the petitioner filed the above criminal miscellaneous petition seeking extension of interim bail already granted by this Court on 08.03.2023.

3. Learned Additional Public Prosecutor opposes this petition by submitting that the petitioner obtained interim bail on 08.03.2023 by suppressing the real facts and projected that he had paid the entire fine



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amount imposed on him before the trial Court. The relevant paragraph in the petition for suspension of sentence is extracted below:

“3. The petitioner states that the petitioner had paid the entire fine imposed on him before the trial Court. The petitioner states that he is innocent and no way connected with the occurrence. The petitioner was falsely implicated by the respondent.”

4. Learned Additional Public Prosecutor further submits that the total fine amount imposed in this case is Rs.3,95,60,000/- (A2 to A5) and the petitioner/A5 has to pay Rs.81,70,000/-. So far, the petitioner/A5 not even paid any amount but obtained interim bail suppressing the same. Further submitted that grant of interim bail itself is on suppression of facts. He further submitted that three months period granted by this Court already expired. The respondent police is taking steps to secure the accused. Hence, he prayed for dismissal of this petition.

5. In view of the above, finding that the petitioner suppressed the fact and obtained an order of this Court, this Court is not inclined to entertain this petition. Accordingly, this Criminal Miscellaneous Petition is dismissed.



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6. The respondent police is directed to secure the accused without further delay. If required, form a special team and secure the accused.

01.11.2023

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