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[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.15477 of 2023

M.Sivakumar

Petitioner

vs.

N.Murali

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 23.06.2023 passed in CrI.M.P.No.14358 of 2023 in CrI.M.P.No.8883 of 2023 in C.A.No.189 of 2023 and extend the time limit for a period of two weeks to surrenderer and execute sureties before the learned Metropolitan Magistrate, Fast Track Court No.V at Saidapet, Chennai.

For Petitioner : Mr.M.S.V.Purushothaman Reddy

For Respondents : Mr.A.Gopinath
Government Advocate

ORDER

This petition has been filed challenging the order passed by the Court below in CrI.M.P.No.14358 of 2023 dated 23.06.2023, rejecting the application filed by the petitioner seeking for extension of time for



complying with the conditions imposed by the Court while suspending the sentence.

2.The Court below passed a conditional order in Crl.M.P.No.8883 of 2023, dated 17.04.2023, to the effect that the petitioner must produced two sureties for Rs.10,000/- and also deposit 20% of the fine amount to the credit of the calendar case within sixty days from the date of the order. According to the petitioner, he was not able to comply with the conditions, since he was suffering from various ailments and he was under medical care. The Court below did not agreed with the reasons assigned by the petitioner and dismissed the application seeking for extension of time. Aggrieved by the same, the present criminal original petition has been filed before this Court.

3.In the considered view of this Court, one last chance can be given to the petitioner to comply with the condition. Accordingly, the time is extended till 18.07.2023. The petitioner shall comply with the condition imposed by the Court below in Crl.M.P.No.8883 of 2023 by order dated 17.04.2023, by then. On failure to comply with the condition,



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the Court below is directed to take steps to secure the petitioner and make him undergo the sentence imposed by the trial Court.

4.This criminal original petition is disposed of with the above directions.

11.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
SSR

Note: Issue Order Copy of 13.07.2023

To

- 1.The Metropolitan Magistrate, Fast Track Court No.V,
Saidapet, Chennai.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J.

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