



Crl.M.P.No.318 of 2023 in
Crl.O.P.No.6105 of 2021

R.N.MANJULA,J.

The petition has been filed to extend the time to execute the surety in Crl.O.P.No.6105 of 2021, order dated 29.03.2021.

2. The learned counsel for the petitioner submitted that by virtue of the order of this Court, dated 29.03.2021 made in Crl.O.P.No.6105 of 2021, the petitioner was directed to deposit a sum of Rs.50,000/- before the concerned Magistrate. However, by mistake the petitioner had deposited the said amount before the Tahsildar, Cheyyur. After realizing the mistake, the petitioner had requested the Tahsildar to give back the amount deposited and the same was returned to the petitioner through demand draft. Subsequently, he filed a memo before the concerned Magistrate viz., District Munsif cum Judicial Magistrate, Thirukazhukundram, requesting to accept the amount of Rs.50,000/-. But the same was returned by stating that the time granted by the Court on 29.03.2021 has got expired already and further extension that has been granted by virtue of the another order dated 12.11.2021 has also got expired. Having aggrieved over the same, the petitioner had filed the present petition by seeking extension of time.



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3. The records would show that the petitioner had wrongly deposited the amount of Rs.50,000/- before the Tahsildar, Cheyyur instead of Judicial Magistrate Court, Thirukazhukundram. He has sought further extension of time by filing the CMP No.11301 of 2021. Only subsequent to that the amount was deposited with the Tahsildar. Thereafter, the petitioner had filed a Memo before the Judicial Magistrate and it got returned because of lapse of time. Since the petitioner genuinely attempted to comply with the order of this Court, dated 29.03.2021, but due to some inadvertence, the amount got deposited with the Tahsildar instead of the Magistrate concerned. Since the mistake was not wanton, I feel it is appropriate to grant further time to comply with the condition imposed on 29.03.2021. This petition is ordered accordingly. The petitioner is granted further four weeks time to comply the condition imposed in CrI.O.P.No.6105 of 2021, dated 29.03.2021.

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