



Crl.O.P.No.23730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23730 of 2023

1.R.Karthik
2.R.Rajasekar

... Petitioners

Vs.

The State rep.by its
Inspector of Police,
V6, Kolathur Police Station,
Kolathur, Chennai-600 099
(Crime No.173/2023)

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to set aside the order dated 04.10.2023 in Crl.M.P.No.24864/2023 in Crl.M.P.No.20546/2023 on the file of the learned Principal Sessions Judge, Chennai.

For Petitioner : Mr.V.Sairam

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner herein is an accused in Crime No.173 of 2023 for the alleged offences under Sections 294(b), 323, 324, 427 & 506(ii) IPC.



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2. When the petitioners approached for anticipatory bail, the Session Court, Chennai has granted bail on condition to surrender on or before 05.09.2023 and to furnish surety for Rs.10,000/- each to the satisfaction of learned XIII Metropolitan Magistrate, Saidapet, Chennai. The petitioners failed to avail the anticipatory bail order by surrendering and furnishing surety by 05.09.2023. Thereafter, he sought for extension of time before the District and Sessions Judge, which was declined. Hence the present Criminal Original Petition is filed.

3. The learned counsel appearing for the petitioners submits that the sudden demise of the petitioners' uncle at Kerala has caused impediment to the petitioners herein to appear before the XIII Metropolitan Magistrate and furnish surety. The petitioners after attending the funeral ceremony at Kerala, had returned to Chennai only on 18.09.2023, but filed the petition to extend the time and accept his surety was only on 29.09.2023 after the delay of 11 days. The lower appellate Court taking note of this, had rejected the petition for extension of time and execute surety.



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4. The learned counsel appearing for the petitioners submitted that the petitioners had no intention to jump bail or to abuse the anticipatory bail order by not furnishing surety. Only for the reasonable cause, they were not able to surrender themselves and produce surety, hence it may be condoned.

5. Considering the facts of the case and to provide liberty to the petitioners herein to avail the benefit of anticipatory bail, time to surrender is extended till 31.10.2023.

6. In the result, this Criminal Original Petition is disposed of .

19.10.2023

Note: Issue Today

Index : Yes/No

Neutral Citation : Yes/No

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To

1.The Principal Sessions Judge, Chennai.



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Dr.G.JAYACHANDRAN,J.

rpl

2.The Inspector of Police,
V6, Kolathur Police Station,
Kolathur, Chennai-600 099

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

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