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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Twelfth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice DR. D. NAGARJUN

CRL MP(MD). No.12698 of 2023

in

CRL OP(MD. No. 9801/ 2023

1. T. Azlan

2. S. Santhosh

Vs

.. Petitioners / Accused Nos. 1 and 2

1. The State rep by
The Deputy Superintendent Of Police
O/o.Melur Sub Division,
Melavalavu Police Station
Madurai District.
(Crime No.130/2022.)

2.The Inspector of Police
Melavalavu Police Station
Madurai District.
(Crime No.130/2022.)

.. Respondents 1 & 2/ Complainants

3.S. Karippyee

.. 3rd Respondent / Defacto Complainant

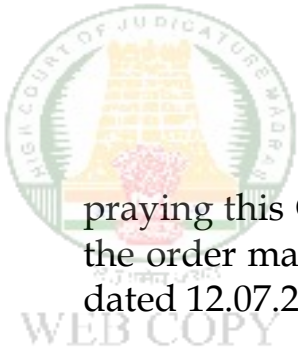
4.S. Rekha

.. 4th Respondent / Respondent

Prayer Crl MP (MD) No.12698 of 2023 :-

This Criminal Miscellaneous Petition filed under section 482 of Cr.P.C.,

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praying this Court, to grant extension of time for a period of two weeks imposed by the order made in CrI M.P (MD) No. 9933 of 2023 in CrI O.P (MD) No. 9801 of 2022 dated 12.07.2023

Prayer CrI MP (MD) No.9933 of 2023 :-

This Criminal Miscellaneous Petition filed under section 482 of Cr.P.C., praying this Court, to grant extension of time for a period of two weeks imposed by the order made in CrI O.P (MD) No. 9801 of 2022 dated 07.06.2023.

Prayer in CrI OP(MD. No. 9801/ 2023 :

This Criminal Petition filed under section 482 of Cr.P.C., praying this Court, to direct the III Additional District and Sessions Court (PCR), Madurai, Madurai District to accept the surrender of the Petitioners/Accused No.1 and 2 and to consider their bail applications and grant bail on the date of surrender itself in Crime No.130 of 2023, dated, 25.05.2023 on the file of the respondent No.2 Police.

ORDER:-

This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.E.Mareeskumar, Advocate for the Petitioners and of Mr.S.S.Madhavan, Government Advocate (CrI Side) for the respondents 1 and 2, this Court made the following order:

This petition is filed seeking for extension of time for about two weeks to surrender before the trial court as per the orders of this Court in CrI.O.P(MD) No.9801 of 2023, which was subsequently extended in CrI.M.P(MD)No.9933 of 2023.



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2. Originally, the petitioners filed an application in Crl.O.P(MD)No.9801 and the same was allowed on 07.06.2023 and passed the following order:-

“4.Considering the facts and circumstances of the case, this Court is inclined to pass the following orders:-

1) The petitioners shall appear before the learned III Additional District and Sessions Judge, PCR Court, Madurai, Madurai District, within a period of 15 days from the date of receipt of a copy of this order.

2) On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail application filed by the petitioners and pass orders on merits on the same day of their surrender, after hearing the defacto complainant by complying with Section 15A(3) of the Act.”

3. Subsequently, the petitioners have filed an application in Crl.M.P(MD) No.9933 of 2023 seeking for extension of time and the same was allowed by granting 15 days time. However, the present petition is filed seeking two weeks more time on the ground that the petitioners are working in a different place and the working places were far away from Madurai, therefore, they could not surrender before the trial court as directed by this Court.



4. The learned Government Advocate (Crl.side) reported no objection.

5. Considering the circumstances explained by the petitioner, this petition is allowed and the petitioner is permitted to surrender before the trial Court on or before 25.09.2023. Rest of the conditions imposed by this Court in Crl.O.P.(MD). No.9801 of 2023 stands good are unaltered.

Sd/-

Assistant Registrar(Records)

// True Copy //

14/09/2023

Sub Assistant Registrar(CS)

TO

1. The Deputy Superintendent Of Police
O/o.Melur Sub Division,
Melavalavu Police Station
Madurai District.

2.The Inspector of Police
Melavalavu Police Station
Madurai District.

Copy to:

1. The III Additional District and Sessions Judge, PCR Court,
Madurai, Madurai District



2. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-13561[I] dated 13/09/2023)

ORDER DATED : 12/09/2023

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ORDER

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CRL MP(MD). No.12698 of 2023

in

CRL OP(MD. No. 9801/ 2023

Giving direction and etc.

as stated within.

KB(14.09.2023) 5P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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