



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Sixteenth day of November Two Thousand and Twenty Three

PRESENT:

The Hon`ble Mr.Justice K.K.RAMAKRISHNAN

CRL MP(MD)No.15772 of 2023
in
CRL OP(MD)No.6323 of 2019

1.Selvam
2.Murugan
3.Nagu @ Nagalakshmi
4.Lakshmi
5.Panjavaranam ... Petitioners.

Vs

1.The Inspector of Police
Palanichettypatti Police Station
Theni District.(Cr. No.670/2017)
2.Sentrayan ... Respondents.

Prayer in CRL MP(MD)No.15772 of 2023 :-

Criminal Miscellaneous Petition is filed under Section 482 of Cr.P.C., to extend the period of time for surrender as well as to comply the direction passed by this Court in Crl.O.P.(MD)No.6323/2019 dated 20.02.2023 in so far as the petitioners 2 to 5/Petitioners 3 to 6 and thus render justice.



Prayer in CRL OP(MD)No.6323 of 2019:-

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned charge sheet in C.C. No.127 of 2018 on the file of the Judicial Magistrate, Theni, and quash the same as illegal.

ORDER:- This 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.R.Sankar Ganesh, Advocate for the Petitioner and of Mr.M.Muthumanikkam, Government Advocate(Criminal Side) for the first respondent, this Court made the following order:

The petitioner filed this CrI.M.P(MD)No.15772 of 2023 to extend the period of time for surrender as well as to comply the direction passed by this Court in CrI.O.P(MD) No.6323 of 2019 dated 20.02.2023.

2. When the matter was taken up for hearing on 20.02.2023, this Court has passed the following order at paragraph No.8:

"8. But however, considering the facts and circumstances of this case, the entire family members are arrayed as accused, except the second petitioner herein, personal appearance of all other petitioners are dispensed before the trial Court.

(i) The petitioners 1, 3 to 6 shall appear before the trial Court namely the Judicial Magistrate Court, Theni, within a period of 15 days from the date of receipt of a copy of this order and file an undertaking



affidavit, by affixing their recent passport size photograph, to the effect that they will appear before the trial Court as and when required and must ensure their proper representation through Advocate."

3. The learned counsel for the petitioner submitted that due to his inadvertent mistake, he has not obtained the order copy and hence, he seeks for extension of time for surrender and to comply the direction passed by this Court in CrI.O.P(MD) No.6323 of 2019 dated 20.02.2023 insofar as the petitioners 2 to 5 herein.

4. The said request made by the learned counsel for the petitioners is considered and this Court hereby directed the petitioners 2 to 5 herein, to appear before the learned Judicial Magistrate, Theni, within a period of 15 days from the date of receipt of a copy of this order.

5. With the above direction, this criminal miscellaneous petition is ordered.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)



TO

1.The Judicial Magistrate, Theni.

2.The Inspector of Police
Palanichettypatti Police Station
Theni District.

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

Copy to: The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 16/11/2023

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ORDER

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CRL MP(MD)No.15772 of 2023

in

CRL OP(MD)No.6323 of 2019

SI (24.11.2023) 4P/ 5C

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