



Crl.O.P.No.1116 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

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1.Dulasingam
2.Poovaragavan
3.Kumar
4.Munusamy
5.Ravi
6.Athinarayanan
7.Nagamuthu

... Petitioners

Vs.

State by
The Inspector of Police,
Olakkur Police Station,
Villupuram District,
Crime No.164 of 2021.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., /528 BNSS, 2023, to extend the time to execute the surety in Crl.M.P.No.10004 of 2023 by order dated 20.11.2023 on the file of the Court of Session Judge, Magalir Neethimandram (Fast Track Mahila Court), Villupuram.



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For Petitioner : Mr.S.Silambuselvan
For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to extend the time to execute the surety in Crl.M.P.No.10004 of 2023 dated 20.11.2023 on the file of the Session Judge, Magalir Neethimandram (Fast Track Mahila Court), Villupuram.

2. The respondent-Police registered the case in Crime No.164 of 2021 against the petitioners for the offences punishable under Sections 294(b), 323, 147, 148, 506(ii) IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. Pending investigation, the petitioners had filed a petition in Crl.M.P.No.10004 of 2023 under Section 438 Cr.P.C before the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Villupuram, praying to grant anticipatory bail. The Sessions Court by order dated 20.11.2023 granted anticipatory bail to the petitioners on certain conditions. However, the petitioners did not comply with the conditions imposed by the Court



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below, and filed a petition in Crl.M.P.No.6961 of 2024 seeking extension of time, which came to be dismissed on 03.12.2024. Aggrieved over the same, the present petition is filed.

3. It is seen from the records that even though the trial Judge granted anticipatory bail to the petitioners with certain conditions on 20.11.2023, till date the petitioners have not complied with the said conditions.

4. It is settled law that granting bail or anticipatory bail is a discretionary power of the Magistrates/Sessions Judges. In the case on hand, the learned Sessions Judge exercised his discretionary power and granted anticipatory bail to the petitioners with certain conditions. However, the petitioners did not comply with the said conditions, without any valid reasons and after one year they have approached the learned Sessions Judge for extension of time to comply with the said conditions. The learned Sessions Judge, applied his mind and exercised his discretionary power and dismissed the petition.



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5. Even after a lapse of more than one year, the petitioners are unable to procure sureties and granting further time will not serve any purpose. Therefore, this Court does not find any infirmity or illegality in the order passed by the trial Court and hence, this Criminal Original Petition is dismissed.

6. The respondent-Police are directed to secure the petitioners/accused forthwith and produce them before the Court below.

21.01.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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Note : Issue Order Copy on 22.01.2025

To

1. The Session Judge,
Magalir Neethimandram
(Fast Track Mahila Court)
Villupuram.

2. The Inspector of Police,
Olakkur Police Station,
Villupuram District.

3. The Public Prosecutor,



High Court, Madras.

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P.VELMURUGAN, J

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