



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

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THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP(MD) No. 7349 of 2026

M.R.Vijayabhaskar

..Petitioner(s)

Vs

The State of Tamil Nadu,
The Inspector of Police,
Karur Town Police Station,
Karur.
Cr.No.129/2026.

..Respondent(s)

This Criminal Original Petition is filed under Section 528 of BNSS, to set aside the order dated 02.04.2026 made in CrI.MP.No.379 of 2026 in CrI.MP.No.212 of 2026 on the file of the learned District and Sessions Judge, Karur, and consequently extend the time for surrender before the learned Judicial Magistrate No.I, Karur and pass such further or other orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

For Petitioner(s): Mr.I.Abrar Mohammed Abdullah for
Mr.J.Senthil Kumaraiah

For Respondent(s): Mr.S.Udaya Kumar, Government Advocate
(CrI.Side)

ORDER

The petition has been filed seeking to set aside the order dated 02.04.2026 made in CrI.MP.No.379 of 2026 in CrI.MP.No.212 of 2026 on the file of the



learned District and Sessions Judge, Karur, and consequently extend the time for surrender before the learned Judicial Magistrate No.I, Karur.

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2.The case of the petitioner is that he is an accused in Crime No. 129 of 2026 registered by the respondent for offences under Section 303(2) of the BNS and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957.

3.The petitioner applied for anticipatory bail in Crl.M.P. No. 212 of 2026. By an order dated 12.03.2026, the learned District and Sessions Judge, Karur, granted anticipatory bail to the petitioner subject to certain conditions. Specifically, the petitioner was directed to surrender before the learned Judicial Magistrate No. 1, Karur, within 15 days from the date of the order, failing which the bail would stand automatically cancelled. Furthermore, the petitioner was ordered to report and sign before the respondent police daily at 10:30 AM for a period of one week, and thereafter, sign before the Judicial Magistrate No. 1, Karur, at 10:30 AM for a subsequent period of one week.

4.Mr.I.Abrar Mohammed Abdullah, learned counsel representing Mr.J.Senthil Kumaraiah, learned counsel on record for the petitioner submits that the petitioner is a former MLA and former Minister for Transport, currently serving as the District Secretary of the AIADMK for Karur District. He is also a



contesting candidate in the Tamil Nadu Assembly Election scheduled for 23.04.2026. Due to his demanding political engagements and campaign schedule, the petitioner was unable to comply with the surrender condition within the stipulated time. Consequently, he filed Crl.M.P. No. 344 of 2026 seeking a modification of the conditions imposed in Crl.M.P. No. 212 of 2026, alongside a memo seeking a 15-day extension to surrender. By an order dated 25.03.2026, the learned District Judge was pleased to allow the same, granting one week to surrender before the Judicial Magistrate No. 1, Karur, and modifying the reporting condition to a single day before both the respondent police and the said Magistrate.

5.The petitioner's failure to surrender within the stipulated time was neither intentional nor negligent. The deadline lapsed specifically because he was occupied with the mandatory filing of his election nomination on 30.03.2026. This was followed immediately by the Mahavir Jayanti public holiday on 31.03.2026, which was the final day of his extension. As the court was closed on the day the period expired, the petitioner was unable to comply with the directions issued in Crl.M.P. No. 344 of 2026. Consequently, the petitioner filed Crl.M.P. No. 379 of 2026 seeking a further extension. However, by an order dated 02.04.2026, the learned Judge dismissed the application on the grounds that the petitioner had failed to surrender. Aggrieved by this dismissal, the petitioner has filed the present petition to challenge the said order.



6.He further submits that the petitioner had no intention to disobey the orders of the Court. Due to circumstances beyond his control, specifically his mandatory election duties and the intervening public holiday, he was unable to surrender within the time-frame fixed by the Trial Court. Although the petitioner immediately filed an application for an extension, it was dismissed. The learned counsel further submits that if the order of dismissal is not set aside and the time is not extended, the petitioner will suffer great prejudice. The petitioner is ready to cooperate in the investigation and is willing to abide by any stringent conditions that this Court may deem fit to impose.

7.Mr. S. Udaya Kumar, the learned Government Advocate (Crl. Side), vehemently opposes the petition, submitting that the petitioner has deliberately failed to comply with the Court's conditions. He further contends that given the repeated non-compliance, the petitioner is not entitled to any indulgence or leniency from this Court.

8.Heard the learned counsel on both sides and perused the materials available on record.

9.This Court is of the view that the petitioner, being a former Member of the Legislative Assembly, a former Minister, and a contesting candidate in the



upcoming elections, faces unique exigencies. Although the petitioner was granted an opportunity to surrender on or before 31.03.2026, he was unable to do so as he was occupied with filing his official nomination on 30.03.2026. Furthermore, the final day of the stipulated period, 31.03.2026, was a public holiday for Mahavir Jayanti, during which the Court was closed. It is observed that the petitioner acted with due diligence by filing an application for an extension of time immediately on 30.03.2026. Given these circumstances, the delay appears neither willful nor contumacious.

10. In view of the above and considering the submissions made, the impugned order dated 02.04.2026 is hereby set aside and the present Criminal Original petition stands **allowed**. The petitioner is directed to surrender before the learned Judicial Magistrate No. 1, Karur, on or before 28.04.2026. Following his surrender, the petitioner shall appear before the respondent police daily at 10:30 AM for a period of one week, and shall also appear before the said Judicial Magistrate on 29.04.2026 for one day. All other conditions imposed in the original order dated 12.03.2026 shall remain unchanged.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA, J.

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To

1.The Inspector of Police,
Karur Town Police Station,
Karur.

2.The District and Sessions Judge,
Karur.

3.The Public Prosecutor,
Madras High Court.

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