

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. VAIDYANATHAN

CRIMINAL MISCELLANEOUS PETITION No.5745 & 5746 of 2017

IN CRL OP.22527/2016

GURU @ GURUSWAMY

[PETITIONER]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

THINGALUR POLICE STATION,ERODE DT.

CR.NO.145/2016.

Petition praying that in the circumstances stated therein the High Court will be pleased to

[i]modify the conditions imposed in Crl.O.P.No.22527 of 2016 order dated 26.10.2016.[CRL.MP.NO.5745/2017]

[ii]grant extension of time to the petitioner for surrender and executing the sureties in criminal original petition No.22527 of 2016 dated 26.10.2016.[CRL.MP.NO.5746/2017]

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of MR.S.D.RAMALINGAN SENIOR COUNSEL FOR M/S.S.KUMARA DEVAN Advocate for the petitioner and of MR.E.RAJA Government Advocate [Crl.Side] on behalf of the Respondent the court made the following order:-

Crl.M.P.No.5745 of 2017 is filed to modify the condition imposed and to grant extension of time to the petitioner to surrender and execute the sureties as ordered in Crl.O.P.No.22527 of 2016, dated 26.10.2016.

2. Learned Senior Counsel for the petitioner expressed difficulty in the petitioner depositing Rs.10 lakhs, however, he submitted that the petitioner is willing to deposit title deed to the value of Rs.10 lakhs instead of depositing the amount of Rs.10 lakhs before the Court below.

3. Learned Government Advocate (Crl. Side) appearing for the respondent has no objection in the petitioner depositing the title deed as mentioned by the petitioner in paragraph 5 of the petition in Crl.O.P.No.5745 of 2017.

4. Hence, the petitioner, instead of depositing Rs.10 lakhs, shall deposit the title deed to the value of Rs.10 lakhs before the learned Judicial Magistrate, Perundurai, Erode District.

5. The learned Judicial Magistrate, Perundurai, Erode District is directed to ascertain about the genuineness of the document/title deed from the concerned Sub-Registrar and also get the valuation of the property mentioned in the title deed from the concerned Government authority, or the Village Administrative Officer concerned or the Tahsildar concerned. The learned Judicial Magistrate, Perundurai, Erode District shall also ascertain as to whether there is any encumbrance over the property mentioned in the title deed/document and if there is any encumbrance, the petitioner shall deposit cash of Rs.10 lakhs before the said Magistrate. The petitioner shall surrender and deposit the title deed/document before the said learned Magistrate on or before 11.09.2017.

6. These petitions are ordered with the above directions.

-sd/-

21/08/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
PERUNDURAI, ERODE DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THINGALUR POLICE STATION,
ERODE DT.

+2 C.C. to M/S.S.KUMARA DEVAN Advocate on payment of necessary
charges SR.NO. 15819,15820

Order

in
CRL MP.5745 & 5746/2017

in
CRL OP.22527/2016

Date :21/08/2017

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