

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventeenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice S. VAIDYANATHAN

CRIMINAL ORIGINAL PETITION No.12133 of 2019

GURU @ GURUSAMY

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
THINGALUR POLICE STATION,
ERODE DISTRICT.
CRIME NO.145 OF 2016

[RESPONDENT]

For Petitioner : M/S.VINODHKUMAR G Advocate

For Respondent : M/S.T.P.SAVITHA Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

This Criminal Original Petition is filed seeking to enlarge the Petitioner on bail in the event of his arrest by the Respondent Police in Crime No.145 of 2016 on the file of the Inspector of Police, Thingalur Police Station, Thingalur, Erode District.

2. The case of the prosecution is that when the Petitioner along with other accused entered into the property, which was attached by the Government Order vide G.O.Ms.No.77/1, 2, dated 21.09.2012 and were cutting down Karuvelam trees, the defacto complainant intercepted the Petitioner and the other accused. While so, the Petitioner and other accused using filthy language, threatened the defacto complainant with dire consequences.

3. Heard Mr.S.Suresh, learned counsel for the Petitioner and Mrs.T.P.Savitha, learned Government Advocate (Crl. Side) appearing for the Respondents.

4. Learned Government Advocate (Crl. Side) submitted that the petitioner is involved in many previous cases and that he has not complied with the conditional order granted by this Court on 26.10.2016 in Crl.O.P.No.22527 of 2016 by not depositing the amount mentioned therein. He further submitted that already a Non-Bailable Warrant is pending against him.

5. In view of the fact that Non-Bailable Warrant is pending against the Petitioner, it is open to the Petitioner to work out his remedy invoking Section 70(2) Cr.P.C. in the manner known to law. Hence, this Court is not inclined to grant any relief to the Petitioner.

Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
17/06/2019

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
THINGALUR POLICE STATION,
ERODE DISTRICT

+1 CC to M/S.VINODHKUMAR G Advocate on payment of necessary charges SR.NO.11936

WEB COPY

CRL OP.12133/2019

Date :17/06/2019

cm 01/07/2019