



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

Thursday, the Twenty Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11148 of 2015

P.ANDREWS

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DIST.
(CRIME NO. 473/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offences punishable under Sections 294(b), 324, 506 (ii) of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interests Act, in Crime No.473 of 2015, seeks anticipatory bail.

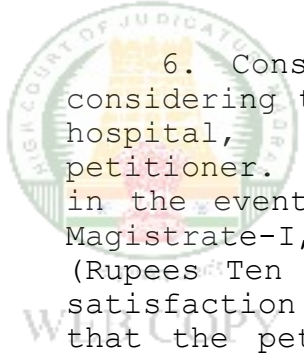
2. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl. side) appearing for the respondent.

3. The case of the prosecution is that the de facto complainant had borrowed a sum of Rs.75,000/- from the first accused and he repaid at the rate of Rs.7,500/- per month. While so, the accused has attacked him with wooden locks and iron rod, demanding exorbitant interest and also taken away cell phone, ATM Card, Driving License, Rado watch worth about Rs.30,000/- and other original records.

4. The learned counsel for the petitioner submitted that the de facto complainant had borrowed a sum of Rs.75,000/- in the year 2014, agreeing to pay interest at the rate of Rs.1,500/- per month. But, he failed to make the payment properly. When the petitioner insisted for payment of the loan amount, he made false allegations against him. He further submitted that the de facto complainant did not sustain injury and the accused have not taken the articles as alleged by the de facto complainant.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The learned Government Advocate (Crl. Side) submitted that the injured has already been discharged from the hospital.



6. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Thoothukudi and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 am for a period of two weeks and thereafter, as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, THOOTHUKUDI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OFMADRAS HIGHCOURT MADURAI
- 4 THE INSPECTOR OF POLICE
THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DIST.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.33761.

TS/26.06.2015/2P -6C

ORDER
IN
CRL OP(MD) No.11148 of 2015
Date :25/06/2015