



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Fourth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17228 of 2015

1 P.MADASAMY
2 BALAMURUGAN
3 GOMATHI THAI

..PETITIONERS/A1 to A3/
PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE,
PULIAYANDGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.339/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S V.INDIRA GANDHI Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

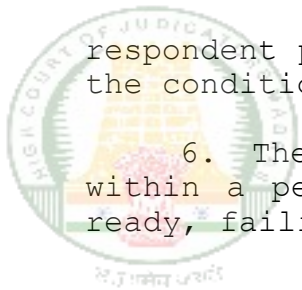
The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 323, 506(i) of I.P.C., r/w. Section 4 of Tamil Nadu Prohibition of Exorbitant Interest Act in Crime No.339 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, she had borrowed Rs.1 lakh from the first accused and on 09.08.2015, the accused have demanded the entire amount charging exorbitant interest.

3. The learned counsel for the petitioners submitted that the de-facto complainant has borrowed Rs.1 lakh from the brother of the first petitioner on executing a promissory note, in which the first petitioner has signed as a witness and now the entire family members of the first petitioner has been falsely implicated in this case. It is further submitted that the third petitioner's name is Gomathi Thai, however, in the complaint, her name has been wrongly mentioned as Vellai Thai.

4. The learned Government Advocate (Crl.side) submitted that the second petitioner is having three previous cases.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Sivagiri, Tirunelveli District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate and on further condition that the petitioners 1 and 2 shall appear before the respondent police daily at 10.00 a.m. until further orders and the third petitioner shall appear before the



respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
04/09/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, SIVAGIRI, TIRUNELVELI DISTRICT.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, PULIAYANDGUDI POLICE STATION,
TIRUNELVELI DT.

+1. CC to M/S V.INDIRA GANDHI Advocate SR.No.52015

ORDER IN
CRL OP(MD) No.17228 of 2015
Date :04/09/2015

PBK/GSV-PM/SAR-II 09/09/2015 ::2P-6C::