



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

Friday, the Sixteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.19935 of 2015

WILFRED PRABHU

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSEPECTOR OF POLICE
MANAVALAKURICHI POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO.362 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S P.M.VISHNU VARATHANAN Advocate

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

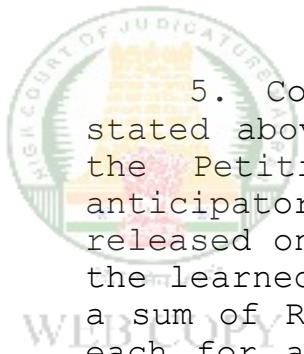
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who arrayed as the sole accused apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.362/2015 and hence, seek anticipatory bail.

2.According to the defacto complainant, the Petitioner borrowed a sum of Rs.1,25,000/- from the accused in the month of August 2014 and he insisted the defacto complainant to pay the said amount and when he paid the first instalment on 15.09.2015, he pressurized the defacto complainant to execute a sale deed in respect of his property as security for the loan amount and when it was refused, he was threatened with dire consequences.

3.The learned counsel for the Petitioner submitted that the defacto complainant had borrowed money of Rs.1,25,000/- for the medical expenses of his daughter, but failed to repay the loan amount inspite of several demands and to avoid repayment of the loan amount, he gave a false complaint against the Petitioner. The learned counsel filed an affidavit of the Petitioner, dated 14.10.2015 stating that he did not demand the defacto complainant to execute sale deed in respect of his residential house as claimed by the defacto complainant.



5. Considering the facts and circumstances of the case as stated above and considering the affidavit of undertaking filed by the Petitioner, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Eraniel 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 to the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m 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.

6. 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/-
16/10/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
ERANIL
- 2 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGARCOIL.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSEPECTOR OF POLICE
MANAVALAKURICHI POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S P.M.VISHNU VARATHANAN Advocate SR.No.61965

ORDER
IN
CRL OP(MD) No.19935 of 2015
Date :16/10/2015

rg.16.10.2015/SK/SAR-I 2P/6C.