



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

Monday, the Ninth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.4274 of 2015

ELANGO VAN

... PETITIONER/2ND ACCUSED

Vs

THE INSPECTOR OF POLICE
THATHAYANKARPETTAI POLICE STATION,
TRICHY DISTRICT.(CR.NO. 42/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.MOHAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

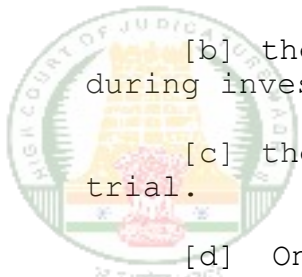
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 379, 420 IPC r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act and Section 76 of Tamil Nadu Chit Fund Act in Crime No.42 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner andx the learned Government Advocate (Crl.Side) appearing for the State.

3. The case of the defacto complainant is that he had borrowed Rs.4,00,000/- from one Sengottuvan (A1) and that Sengottuvan was demanding exorbitant interest from the defacto complainant, even though the defacto complainant had paid substantial amount to him. Sengottuvan was arrested by Police.

4. As regards this petitioner is concerned, there are no serious allegations against him except that he is the brother of A1. Under such circumstances, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 06:30 p.m. for a period of four weeks and thereafter as and when required



[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
09/03/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THURAIYUR.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
3. THE INSPECTOR OF POLICE
THATHAYANKARPETTAI POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.MOHAN Advocate SR.No. 11528

SR : 12.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.4274 of 2015
Date :09/03/2015