



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4848 of 2015

S.SURESHKUMAR

... PETITIONER/ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE

THIRUNAGAR POLICE STATION,

MADURAI DISTRICT.

(CRIME NO. 197 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.SIVRAJA Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

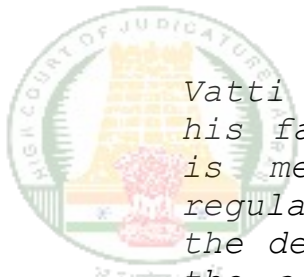
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 4 of the Prohibition of Exorbitant Interest Act, 2003 in Crime No.197 of 2015 on the file of the respondent police, seeks anticipatory bail.

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

3. The respondent police have filed a detailed status report, wherein in Paragraph Nos.3 to 6, they have stated as follows:

"3. I submit that the case of the prosecution is that the defacto complainant is residing along with his family at the mentioned address. The defacto complainant's husband is a driver of a rented auto and the family is living on the earnings of his husband. In the year of 2011, for medical and family expenses, the husband of the defacto complainant borrowed Rs.20,000/- from A1, Rs.30,000/- from A2 and Rs.17,000/- from A3. From the date of loan, the defacto complainant's family had paid more than the amount of principal along with interest and due to that the husband of the defacto complainant has been mentally affected. Due to that the defacto complainant was not able to maintain her family and she is working as a labour in a nearby hotel and further earning for her livelihood. The accused are demanding Kanthu Vatti, Meter



Vatti and further torturing the defacto complainant and his family. Since the husband of the defacto complainant is mentally affected and hence not coming to home regularly. In the above circumstances, on 24.2.2015 when the defacto complainant is working in the aforesaid hotel, the accused came together and told her to come out and further has demanded the exorbitant interest and further threatened the defacto complainant with dire consequences and further has threatened that if she fails to pay the aforesaid interest, then they will kill her husband. Hence the case was registered against the accused.

4. I submit that in the above case already the A1 and A3 have been arrested and remanded to judicial custody. The A2 is absconding from the date of registration of the case.

5. I submit that the case of the investigation is at preliminary stage and the enquiry reveals that he A2 is involved in money lending business at higher rate of interest to the poor people and subsequently collecting the same illegally. I submit that the above named petitioner / accused if enlarged on anticipatory bail, he will tamper the witnesses and further will hamper the investigation too.

6. I submit that I came to know that the above accused have collected more than three times amount of principle as interest from the defacto complainant and I have examined three witnesses and further collecting material evidence to complete the investigation."

4. Learned counsel for the petitioner submitted that the petitioner has not given any loan to the defacto complainant and is not charging exorbitant interest.

5. It is seen that the involvement of this petitioner in the offence stands disclosed in the confession statement of the arrested accused. In view of the serious nature of allegations against this petitioner, this is not a fit case to grant him anticipatory bail. Hence, the Criminal Original Petition stands dismissed.

sd/-

30/03/2015

/ TRUE COPY /

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



TO

1 THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.G.SIVRAJA Advocate SR.No.15706

ORDER

IN

CRL OP(MD) No.4848 of 2015

Date :30/03/2015

AA/31.03.2015/3p- 4c/