



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

Thursday, the Nineteenth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.5131 of 2015

WEB COPY

1 BOMMAN
2 JEYACHANDRAN

... PETITIONERS/ACCUSED A1 & A2

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ALLINAGARAM POLICE STATION,
CR. NO. 149/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SARANGAN 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interests Act and Section 506(i) IPC in Crime No.149 of 2015 on the file of the respondent police, seek anticipatory bail.

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

3. This case has been registered pursuant to the direction issued by this Court in Crl.O.P.(MD) No.3036 of 2015. The case of the defacto complainant is that these petitioners were charging exorbitant interest for the alleged loan that was taken by him from them.

4. On the contrary, learned counsel for the petitioners submits that the defacto complainant is involved in job racketing and the petitioners have also filed a complaint against the defacto complainant on 23.12.2014 before the Deputy Superintendent of Police, Theni, which was forwarded to the Inspector of Police, Allinagaram and before registration of the case, as a counter blast, the defacto complainant has given the present complaint against the petitioners.



5. Taking into consideration the facts and circumstances of the case, I am of the view that this is a fit case to grant anticipatory bail to these petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that each of 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 petitioners shall report before the respondent police as and when required for interrogation.

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

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
19/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, THENI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.
 - 3 THE SUB INSPECTOR OF POLICE
ALLINAGARAM POLICE STATION, THENI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.SARANGAN Advocate SR.No.13927

ORDER IN
CRL OP(MD) No.5131 of 2015
Date :19/03/2015

PA/23.03.2015/2P/6C(IT)