

Crl.O.P.No.1993 of 2016**K.KALYANASUNDARAM,J.**

The petitioner, who is the sole accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 174 of Cr.P.C. subsequently altered into 306 of IPC in Crime No.49 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the deceased Kanagaraj had borrowed Rs.40,000/- from the accused and at that time the accused had received the original sale deed of the deceased dated 15.12.2014 and also RC book belonging to his two wheeler. Despite repayment of the entire loan amount, the accused refused to hand over the original document and on the otherhand, threatened the deceased to repay another sum of Rs.90,000/- and therefore, he had committed suicide.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. It is further submitted that the deceased had borrowed loan from the accused but he failed to repay the loan amount and therefore, the document was not returned by the petitioner and after registration of the case, the petitioner had handed over the original Sale deed to the respondent police.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that due to the harassment met out by the accused, the deceased had committed suicide. It is also submitted that the petitioner had handed over the original sale deed to the respondent police.

K.KALYANASUNDARAM, J .

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5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Tiruvannamalai and on his 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 of the learned Magistrate concerned and 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.

7.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.

17.03.2016

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