



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

Monday, the Twenty Fifth day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12671 of 2016

SUBRAMANIAN

... PETITIONER/ACCUSED NO.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PETTAI POLICE STATION,
TIRUNELVELI TOWN,
TIRUNELVELI DISTRICT.
CRIME NO.442 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.T.THIRAVIAM Advocate

For Respondent : MR.P.KANNITHEVAN, 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 an alleged offence punishable under Sections 294(b), 506(i) of IPC and Section 4 of Exorbitant Interest Act 2003 in Crime No.442 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner borrowed a sum of Rs.4,00,000/- from the accused persons. He paid interest regularly and subsequently, he did not pay any interest for two months. The petitioner along with other accused persons on 14.07.2016 at 8.00 pm threatened the defacto complainant that unless he gives the money, they will sell the articles belongs to the defacto complainant's company and due to that, the defacto complainant has consumed poison and on complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner lent only a sum of Rs.1,00,000/- and the entire amount settled to the petitioner and the petitioner has not threatened the defacto complainant. He further contended that the other accused only threatened the defacto complainant, for not settling the amount to them and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that it is a money dispute and the investigation of the case is pending.

5. Considering the facts and circumstances of the case, I am 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 No.V, Thirunelveli, and 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 10.00 am until further orders.

[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 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].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

25/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PETTAI POLICE STATION, TIRUNELVELI TOWN, TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.T.THIRAVIAM Advocate SR.No.39276

TRP

CSL/KBM/SAR-I/28.07.2016 : 2P/6C

ORDER

IN

CRL OP(MD) No.12671 of 2016

Date :25/07/2016