



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

Wednesday, the Fourteenth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.17202 of 2016

1 SAMUTHIRAM
2 KARPAGAM

... PETITIONERS/ACCUSED NOS.1&2

Vs

THE STATE
REP BY THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.
(CRIME NO.589/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.S.VAIGUNTH Advocate
For Respondent : K.V.RAJARAJAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioners, who are arrayed as accused Nos.1 & 2, prays for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 341, 363 and 506(ii) of I.P.C., and Tamil Nadu Prohibition of Exorbitant Interest Act in Crime No.589 of 2016 on the file of the respondent police.

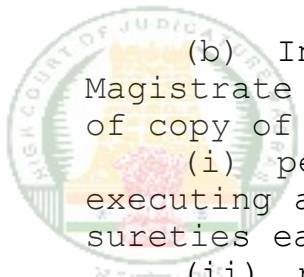
2. The case of the prosecution is that the de-facto complainant borrowed a sum of Rs.2,50,000/- from the petitioners and the petitioners have demanded Rs.5 lakhs from the de-facto complainant by charging exorbitant interest and when the same was questioned, they have threatened the de-facto complainant with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. Heard the learned Government Advocate (Crl. Side).

5. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;



(b) In the event of appearance before the learned Judicial Magistrate No.II, Kovilpatti within 15 days from the date of receipt of copy of the order,

(i) petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall be available for interrogation by the respondent police daily at 10.30 a.m. for two weeks and thereafter as and when required.

sd/-

14/09/2016

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II
KOVILPATTI

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT

3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

4.THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.

+1. CC to M/S.A.S.VAIGUNTH Advocate SR.No.52198
RL/6C/2P/SKS/RR/SARI/22/9/2016

ORDER

IN

CRL OP(MD) No.17202 of 2016

Date :14/09/2016