



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

Monday, the Sixth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12906 of 2017

SOLAI @ MUTHU SOLAI,

... PETITIONER / ACCUSED NO.5

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI DISTRICT.
(CR.NO.1884/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.SELVAKUMAR, Advocate FOR
M/S.M.LAKSHMI Advocate

For Respondent : MR.K.ANBARASAN Government Advocate (Crl. Side)

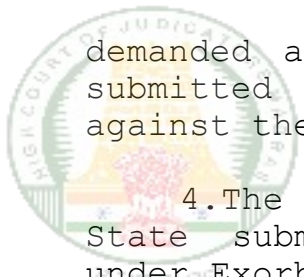
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/accused No.5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4 of Exorbitant Interest Act and r/w. 506(ii) of I.P.C., in Crime No.1884 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of prosecution is that the defacto complainant borrowed a sum of Rs.2,10,000/- (Rupees Two Lakhs and Ten Thousand only) from the petitioner/A5. For payment of sum of Rs.1,00,000/- (Rupees One Lakh only), the petitioner deducted a sum of Rs.10,000/- (Rupees Ten Thousand only) and another sum of Rs.7,000/- (Rupees Seven Thousand only) as interest, the petitioner and the co-accused gave a sum of Rs.83,000/- to the defacto complainant. After deducting a sum of Rs.7,000/- (Rupees Seven Thousand only) for ten days as interest. The defacto complainant paid more money to the petitioner. However, the greedy petitioner demanded huge amount of money from the defacto complainant and thereby, the defacto complainant lodged a complaint against the petitioner for the above said offences.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would further submit that the petitioner has not



demanding any money from the defacto complainant and he has also submitted that the defacto complainant lodged a false complaint against the petitioner.

4. The learned Government Advocate (Crl. side) appearing for the State submitted that the petitioner is doing money lending business under Exorbitant Interest Act. There are several persons affected by the petitioner's money lending business and the defacto complainant is also one among them. The learned Government Advocate (Crl. Side) strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl. side) and also considering the gravity of offence committed by the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Anticipatory bail petition is dismissed.

sd/-
06/11/2017

/ TRUE COPY /

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

MRN

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE,
SELLUR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/SM/SAR-2-14.11.2017-2P-5C

ORDER
IN
CRL OP(MD) No.12906 of 2017
Date :06/11/2017