



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

Tuesday, the Tenth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13641 of 2017

ABDULLA,

... PETITIONER / 8th ACCUSED

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE,

THALLAKULAM POLICE STATION, MADURAI DISTRICT.

(CRIME NO.1714 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KARTHIKA Advocate

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

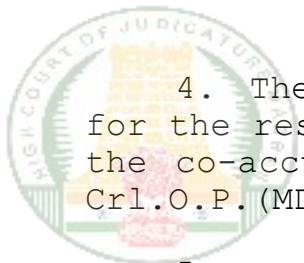
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.8, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, read with Sections 294(b) and 506(i) of IPC., in Crime No.1714 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant obtained loan from the petitioner and other accused persons after signing in blank promissory notes and blank stamp papers. Thereafter, he repaid the principal amount. But the petitioners without returning the promissory notes and stamp papers, demanded exorbitant interest from the defaco complainant and threatened him using filthy language. Hence, the defacto complainant approached the learned Judicial Magistrate No.II, Madurai and as per the directions of the learned Magistrate, the respondent police registered a case in Crime No.1714 of 2017 for the above said offences.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is falsely implicated in this case.



4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that investigation is still pending and the co-accused was released on anticipatory bail by this Court in CrI.O.P.(MD).No.13465 of 2017 dated 09.10.2017.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (CrI. Side) that the co-accused was already enlarged on anticipatory bail, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner 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.II, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent police, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks and thereafter as and when required;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

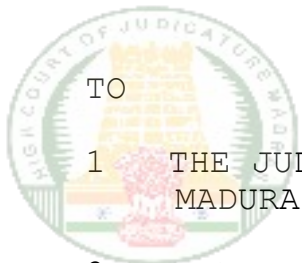
(iv) the petitioner shall not commit any offence while on bail;

(v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
10/10/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.II
MADURAI

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE
MADURAI

3 THE SUB INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION, MADURAI DISTRICT.

4 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KARTHIKA Advocate SR.No.32452

ORDER
IN
CRL OP(MD) No.13641 of 2017
Date :10/10/2017

MV:PM-PN:SAR2:13/10/2017/3P/6C