



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

Monday, the Fourth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16123 of 2017

C.MURUGAPANDI

... PETITIONER/ACCUSED No.2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KADUPATTY POLICE STATION,
MADURAI DISTRICT

... RESPONDENT

For Petitioner : Mr.A.SUBRAMANIAN Advocate

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

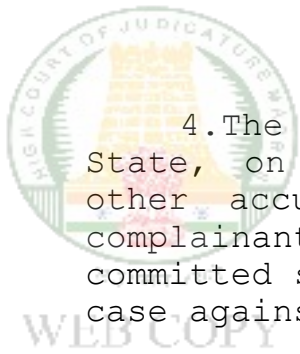
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 4 of the Tamilnadu Protection of Charging Exorbitant Interest Act, 2003 & 506(i), 306 I.P.C., in Crime No.358 of 2017, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's father has borrowed a sum of Rs.4,50,000/-from one Murugapandian and Paulraj. They initially stated that the interest is 4% per Rs.100/-. Thereafter, the petitioner demanded 10% per Rs.100/-. Since the petitioner/A2 and other accused demanded huge interest from the defacto complainant's father, he could not be able to pay the exorbitant interest and committed suicide. On investigation, the Law Enforcing Agency came to know that the defacto complainant's father committed suicide due to the torture given by the petitioner/A2 and other accused. Thereby, based on the suicide note, the Law Enforcing Agency registered a case against the petitioner/A2 and other accused persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. However based on the suicide note of the defacto complainant's father, the petitioner/A2 was falsely implicated by the respondent police.



4.The learned Government Advocate (Crl.side) appearing for the State, on instructions, would submit that the petitioner/A2 and other accused persons demanded huge interest from the Defacto complainant's father, thereby, the defacto complainant's father committed suicide. After that, the Law Enforcing Agency registered a case against the accused persons.

5.Considering the facts and circumstances of the case and considering the submission made by the learned Government Advocate (Crl.side) and also considering the gravity of offence committed by the petitioner/A2 and other accused, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the anticipatory bail is dismissed.

sd/-

04/12/2017

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

TO

- 1 THE INSPECTOR OF POLICE
KADUPATTY POLICE STATION, MADURAI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER

IN

CRL OP(MD) No.16123 of 2017

Date :04/12/2017

msa

SH/PN/SAR-1:12.12.2017:2p/3c