



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

Wednesday, the Sixth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.16349 of 2017

K.VENKATESH,

... PETITIONER/ ACCUSED NO.4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

TIRUNELVELI TOWN POLICE STATION,

TIRUNELVELI DISTRICT.

(CRIME NO.662 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.T.THIRAVIAM 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.4, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294(b), 506(ii) of IPC and Section 4 of TNPHW Act and Section 4 of Tamil Nadu Prohibition of Exorbitant Interest Act, 2003, in Crime No.662 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner demanded huge interest for the loan amount, which was borrowed by the defacto complainant and the allegation against the petitioner is that he threatened the defacto complainant and his wife with dire consequences. On Complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail. However, to avoid complication, the petitioner filed an affidavit stating that the petitioner will not demand further amount from the defacto complainant.



4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also considering the undertaking given by the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions. 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.I, Tirunelveli, 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 investigation officer, 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.

The affidavit filed by the petitioner shall form a part of this order.

sd/-
06/12/2017

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



pjl
TO

1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

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

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

+1. CC to M/S.P.T.THIRAVIAM Advocate SR.No.35674

GJM/RR/SAR-I-12.12.2017-3P-6C

ORDER

IN

CRL OP(MD) No.16349 of 2017

Date :06/12/2017