



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

Thursday, the Thirtieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16464 of 2017

MURUGAN

... PETITIONER/ACCUSED No.7

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI.
(IN CRIME NO.662 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MALAIKANI, Advocate

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

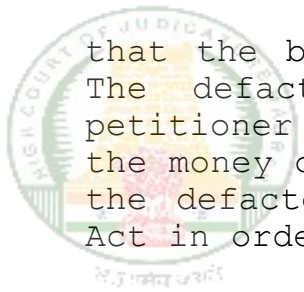
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/ Accused No.7, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 506(1) IPC, Section 4 of TNPWH Act and Section 4 of TNPCEI 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 and the defacto complainant were working in the same organisation ICICI Bank in Tirunelveli. The defacto complainant is a permanent employee of above said Bank and the petitioner is an employee on the basis of contract. The defacto complainant borrowed some money from the petitioner. Thereafter, the petitioner demanded the money. Thereby, the defacto complainant gave a complaint before the respondent police under the Exorbitant Interest Act.

3.The learned counsel for the petitioner submitted that the defacto complainant borrowed a sum of Rs.1,00,000/- for his personal use. The petitioner and the defacto complainant were colleagues in the ICICI Bank. In view of the nature of the employment in the Bank, the petitioner lent money to the defacto complainant for his personal expenses. The defacto complainant has also borrowed money from several persons after taking advantage of Tirunelveli incident



that the borrower put fire in the presence of District Collector. The defacto complainant filed a false complaint against the petitioner that he demanded more interest. The petitioner has given the money only for as hand loan, not for interest purpose. However, the defacto complainant foisted a false case under the Exorbitant Act in order to cheat the petitioner.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that the defacto complainant has given complaints against eight persons under the Exorbitant Interest Act.

5.Considering the facts and circumstances of the case and also considering the fact that, 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 Court No.4, 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, as and when required for interrogation on receipt of summon;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not commit any offence while on bail;
- (iv) 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/-
30/11/2017

/ TRUE COPY /

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

TO
<https://hcservices.ecourts.gov.in/hcservices/>

1 THE JUDICIAL MAGISTRATE NO IV, TIRUNELVELI.



2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI

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

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

+1. CC to M/S.S.MALAIKANI Advocate SR.No.35387

ORDER

IN

CRL OP(MD) No.16464 of 2017

Date :30/11/2017

PK/PM-PN/SAR-4/08.12.2017 : 3P/6C