



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

Tuesday, the Twenty First day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3071 of 2017

ARUNACHALAM

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.198/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.SUSI KUMAR Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused in Crime No.198 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 294(b) and of IPC and Section 4 of Exorbitant Interest Act, 2003 and hence, seeks anticipatory bail.

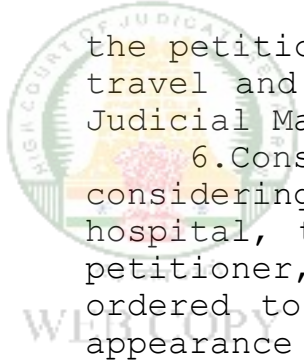
2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The case of the prosecution is that the petitioner is a money lender and the defacto complainant's son borrowed a sum of Rs.35,000/- from the petitioner for interest. Subsequently, the defacto complainant's son paid the entire amount with interest, but the petitioner demanded more money. When the same was questioned, the petitioner abused and assaulted the defacto complainant.

4.The learned Government Advocate(Crl.Side) appearing for the respondent on instructions submitted that the injured was discharged from the hospital. The petitioner herein has involved in one previous case of similar in nature.

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

5.It is reported by the learned counsel for the petitioner that



the petitioner met with an accident and therefore, he is not able to travel and hence, he may be permitted to report before the learned Judicial Magistrate.

6.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is 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 before the learned Judicial Magistrate No.IV, Tirunelveli and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the learned Judicial Magistrate No.IV, Tirunelveli daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/03/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV,TIRUNELVELI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 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.C.SUSI KUMAR Advocate SR.No.16602

RJ2
CSL/NPD/SAR-II/28.03.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.3071 of 2017
Date :21/03/2017