



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

Wednesday, the Seventeenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.338 of 2018

C. MURUGAPANDI

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KADUPATTY POLICE STATION,
MADURAI DISTRICT,
CRIME NO.358/2017

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.A.SUBRAMANIAN Advocate

For Respondent : MR.A.ROBINSSON Government Advocate (Crl. Side)

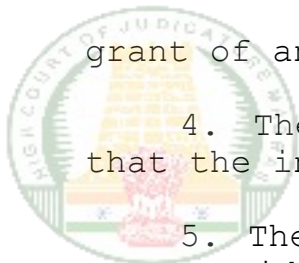
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, apprehends arrest at the hands of the respondent police for the offence punishable under Sections 506 (i) and 306 of IPC., and Section 4 of the Tamil Nadu Protection of Charging Exorbitant Interest Act, 2003, 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 borrowed a sum of Rs.4,50,000/- from A1 and Rs.80,000/- from this petitioner/A2 for interest and he repaid the maximum amount. Though he settled the amount except Rs.50,000/-, the accused persons demanded exorbitant interest, due to which the defacto complainant's father committed suicide. Thereafter, the accused persons demanded the defacto complainant's mother to settle the amount and threatened her. Further, without tolerate the harassment, she disclosed the suicidal note written by his father, thereby the defacto complainant lodged a complaint against the accused persons. Hence, the case has been registered against the accused persons for the above said incident.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the occurrence had happened on 11.11.2017 and FIR was registered on 19.11.2017. According to him, the suicidal note is a fabricated one. Hence, he prays for



grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the investigation is still pending.

5. The submissions made by the learned counsel on either side are considered. The defacto complainant in this case is the son of the deceased Puthisigamani. It is alleged that during the time of occurrence, the petitioner and other accused gave loan of Rs.80,000/- and Rs.4,50,000/- respectively, to the deceased and in order to collect the same, they demanded exorbitant interest for which before committing suicide, the deceased wrote a suicidal note, in which he clearly made allegations against this petitioner and the other accused as that they have demanded exorbitant interest. So in order to complete the investigation in this case, custodial interrogation is necessary. In other words, if anticipatory bail is granted in favour of the petitioner, the process of investigation may be prejudiced. Hence, considering the above said facts and other circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
17/01/2018

/ TRUE COPY /

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.

PJL
GJM/CM/VR/SAR-4-5.2.18-2P-3C

ORDER
IN
CRL OP(MD) No.338 of 2018
Date :17/01/2018