



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

Tuesday, the Third day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.4376 of 2018

MUTHUKUMAR

... PETITIONER/SOLE ACCUSED

Vs

1 STATE REP.BY,
THE INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO.43 OF 2018.

(*) 2 MAHARASI

... RESPONDENTS/COMPLAINANTS

**(*) R2 IMPLEAD AS PER ORDER OF THIS HON'BLE COURT
MADE IN CRL.MP (MD) No.2313/18 IN CRL.OP (MD) 4376/18
DATED 23.03.2018.**

For Petitioner : M/S.R.J.KARTHICK, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC and Section 4 of the Prohibition of Harassment of Woman Act, 2002 and Section 4 of the Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.43 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The defacto complainant borrowed a sum of Rs.1,50,000/- as hand loan from the petitioner with interest at the rate of 7%. As a security to the loan, the petitioner has given a sale deed of her house and a blank cheque to the petitioner herein. The defacto complainant has repaid Rs.2,31,000/- to the petitioner herein. In this regard, the petitioner abused the defacto complainant by using filthy language and attacked and also



threatened her. Therefore, the defacto complainant lodged a complaint and the respondent police registered a case in Crime No.43 of 2018, on the file of the Inspector of Police, Kulasekarapattinam Police Station, Tuticorin District.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any of the offences as alleged by the prosecution.

4.Heard the learned Government Advocate (Crl Side) appearing for the State.

5.Considering the circumstances of the case, 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, Tiruchendur and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-

03/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
 - 3 THE INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATION, TUTICORIN DISTRICT.
 - 4 THE THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.J.KARTHICK Advocate SR.No.5273

ORDER IN

CRL OP(MD) No.4376 of 2018

Date :03/04/2018