



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

Monday, the Twenty Ninth day of January Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.753 of 2018

1 D.KASIMAYAN,
2 PERUMAL @ VIJI,
3 SUNDARAPANDI,

... PETITIONERS/ACCUSED No.1 to3

Vs

1 STATE REP BY
THE INSPECTOR OF POLICE,
NAGAMALAIPUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.
IN CRIME NO.553 OF 2017.

...1st RESPONDENT/COMPLAINANT

2 CHINNASAMY,

...2nd RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : MR.M.MURUGESAN for
M/S.P.SENGUTTUARASAN Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 506 (i) of IPC, r/w Section 3 and 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.942 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant borrowed a sum of Rs.1,00,000/- from the first petitioner at the rate of 5% interest per month. Subsequently, the defacto complainant repaid a sum of Rs.2,00,000/- to the first petitioner. Thereafter, the first petitioner demanded a sum of Rs.5,00,000/- as interest. Hence, the defacto complainant lodged a complaint before the respondent police. Based on the complaint, the present case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not been committed any offence as alleged by the prosecution. He would



further submit that the petitioners have been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the investigation is in progress.

5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of occurrence, even after paying the loan amount, the petitioner herein had not returned the Title deeds, which were received from the defacto complainant at the time of giving loan. So, in order to complete the investigation, custodial interrogation of the petitioners is necessary. Further, this application is filed as second time without any subsequent changes. Hence, this Criminal Original Petition is dismissed.

sd/-
29/01/2018

/ TRUE COPY /

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

pjl
TO

- 1 THE INSPECTOR OF POLICE,
NAGAMALAIPUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.753 of 2018
Date :29/01/2018

SMA/PM-PN/SAR-4/13.02.2018:2P/3c