



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

Friday, the Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17498 of 2017

1 ESAKKIAMMAL

2 THENKALA MAHARAJAN

... PETITIONERS/ACCUSED No.1&2

Vs

STATE BY INSPECTOR OF POLICE,
THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT
IN CRIME NO. 675/2017.

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.LINGARASU, Advocate

For Respondent : MR.K.S.DURAIPANDIAN, Additional Public Prosecutor

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

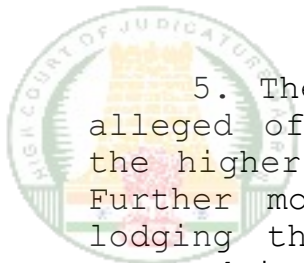
ORDER : The Court Made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294 (b) and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition Charging Exorbitant Interest Act, 2003, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.675 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant borrowed a loan amount of Rs.30,000/- (Rupees Thirty Thousand only) from the petitioners. On 29.10.2017, the petitioners demanded the loan amount and got signatures in blank papers for repayment of amount from the defacto complainant by threatening her. Based on the complaint, case has been registered for the above said offences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that they have been falsely implicated in this case.

<https://hcservices.ecourts.gov.in/hcservices>
4. The learned Additional Public Prosecutor appearing for the respondent on instructions, would submit that the investigation is still pending.



5. The submissions made by either side are considered. In the alleged offence, the petitioners demanded the defacto complainant the higher interest for the loan amount, which was given by them. Further more, on going through the contents of the FIR, before lodging the present complaint, the petitioners herein unlawfully entered into the house of the defacto complainant and taken away the television and refrigerator. According to the prosecution, the investigation is not completed. Therefore, in order to complete the investigation, custodial interrogation is necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/01/2018

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

TO

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

ORDER
IN
CRL OP(MD) No.17498 of 2017
Date :05/01/2018

PK/RR/SAR-4/10.01.2018 : 2P/3C