



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7620 of 2018

M.AYYAPPAN,

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PALANI TALUK POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO.21/2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.CHELLAPANDIAN Advocate

For Respondent : MR.M.ASOKAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

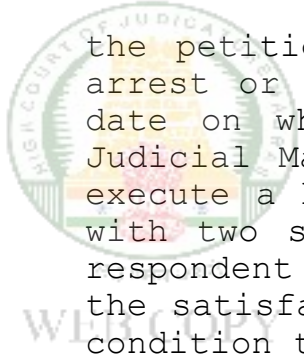
The petitioner, who apprehending arrest at the hands of the respondent Police for the offence punishable under Section 306 of IPC and Section 4 of Exorbitant Interest Act, in Crime No.21 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the victim has availed loan amount for interest from this petitioner and another accused person and there was default in payment and this petitioner and another accused person have abused the victim with filthy languages, hence the victim committed suicide.

3. The learned counsel for the petitioner submitted that the petitioner introduced A1 and A2 to the victim and the victim borrowed a sum of Rs.6 lakhs from A1 & A2 and due to the harassment of A1 & A2 the victim committed suicide and prays for anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the co-accused were already released on bail.

5. Considering the facts and circumstances of this case and that the co-accused were already released on bail, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly,



the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Palani on condition that the petitioner shall execute 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560)**.

sd/-
03/05/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE,
PALANI TALUK POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.CHELLAPANDIAN Advocate SR.No.8206

GJM/RR/ASVM/4.5.18-2P-6C

ORDER
IN
CRL OP(MD) No.7620 of 2018
Date :03/05/2018