



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.408 of 2019

JEYAKUMAR

... PETITIONER / (ACCUSED
RANK NOT KNOWN)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUPANANTHAL POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.6 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.K.MANI, Advocate
For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

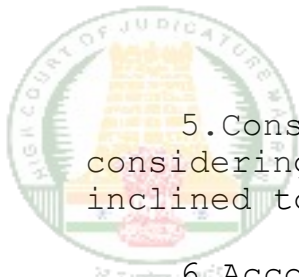
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 506 (i) and 506(ii) IPC and Section 3 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in Cr.No.6 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is doing a money lending business. The defacto complainant received a sum of Rs.20,000/- (Rupees Twenty Thousand only) from the petitioner as hand loan. For which, the petitioner harassed the defacto complainant demanding huge interest. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution to that effect he filed affidavit stating that he did not lend any amount to anybody including the defacto complainant and he has not collected any document from any person either by way of pro-note or by way of cheque. He further submit that he will not file any case against the defacto complainant and other person.

4.The learned Government Advocate (Crl.side), on instructions, would submit that in view of the affidavit filed by the petitioner, this Court may consider the petitioner's bail application.



5. Considering the facts and circumstances of the case and also considering the affidavit filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District, 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 and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. , until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

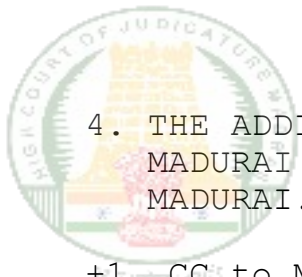
07/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM,
THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE
THIRUPANANTHAL POLICE STATION,
THANJAVUR DISTRICT.



4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.S.K.MANI, Advocate, SR NO.2564

WEB COPY

ORDER

IN

CRL OP(MD) No.408 of 2019

Date :07/02/2019

MS/JC/SAR-2/11.02.2019/3P.6C