



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

Date : 18/09/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.9974 of 2020

Balamurugan ... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Cr.No.Not known of 2020.

... Respondent/Complainant

For Petitioner : Mr.M.Prabu,
Advocate.

For Respondent : M/s.S.E.Veronica Vincent,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.Not known of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is the sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b) and 506(i) of IPC and Section 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.918 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant has borrowed a sum of Rs.6,50,000/- from the petitioner for interest. Thereafter, the defacto complainant has paid the aforesaid amount. But, the petitioner said to have demanded more interest from the defacto complainant. Due to which, there was a wordy quarrel between them, consequently, the petitioner said to have abused the defacto complainant by using filthy language and also criminally intimidated him. Based on the complaint given by the defacto complainant, the present crime has been registered.



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/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/09/2020

/ TRUE COPY /

/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI,
VIRUDHUNAGAR DISTRICT.
2. -DO- THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
3. THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9974 of 2020
Date :18/09/2020

VSG
SRS/ AKM/ SAR-III/ 24.09.2020/ 3P/5C