



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

Date : 03/03/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.1121 of 2021

Senthilkumar

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Thonthonimalai Police Station,
Karur District.
Crime No.716 of 2020.

... Respondent/Complainant

For Petitioner : Mr.B.Janarth Kumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

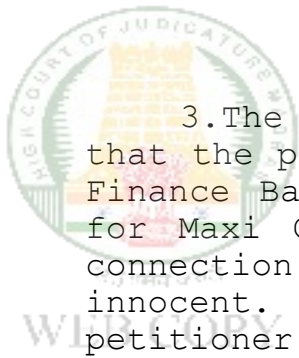
PRAYER :-

For Anticipatory Bail in Crime No.716 of 2020 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner/A2, apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 174 of
Cr.P.C. @ 306 of IPC, on the file of the respondent police, seeks
anticipatory bail.

2.The case of the prosecution is that the petitioner is the
Branch Manager of Equitas Small Finance Bank Limited, Karur. The de-
facto complainant is the wife of the deceased, namely, Baskaran. The
said Baskaran was running a travels in the name of Sudha Travels and
he let a Maxi Cab Van for body building at Amman Coach, Reddypalayam
and subsequently, he could not able to get the vehicle. In the
meanwhile, the petitioner and others, gave mental agony to the
deceased, due to the pressure, the de-facto complainant's husband
committed suicide by way of self immolation in front of the
Collectorate, Karur. Hence, the complaint.



3.The learned counsel appearing for the petitioner submitted that the petitioner is working as a Branch Manager in Equitas Small Finance Bank Limited, Karur. The deceased obtained a vehicle loan for Maxi Cab from the said Branch and there is no any nexus or connection between the petitioner and the deceased and he is innocent. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the de-facto complainant's husband received loan from the said branch and due to non-recoverable of money, the petitioner and others gave mental agony to the husband of the de-facto complainant. He further submitted the deceased was cheated by some persons. In this case, A-1 was arrested and the investigation is in progress and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.It is seen that the petitioner is the Branch Manager of Equitas Small Finance Bank Limited, Karur and the deceased herein had taken a loan, for which, he paid 48 months EMI and thereafter, he had failed to EMI. Only two days prior to the occurrence, the petitioner had enquired about the repayment of the loan amount. On the suicide note, though there is a reference to the petitioner, it is admitted that the petitioner had met the deceased only two days prior and not immediately before.

6.Considering the same, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, 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 to 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 their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

sd/-
03/03/2021

/ TRUE COPY /

/ /2021
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.I, KARUR.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3. THE INSPECTOR OF POLICE,
THONTHONIMALAI POLICE STATION,
KARUR DISTRICT.

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

+1 CC to Mr.B.JENATH KUMAR, Advocate (SR-1762[I] dated 04/03/2021)

ORDER
IN
CRL OP(MD) No.1121 of 2021
Date : 03/03/2021

SJI
NR/VR/SAR.1/09.03.2021/3P/6C

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