



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/10/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.14023 of 2021

Ramu @ K.P. Ramasamy ... Petitioner/Accused Rank:01

Vs

The State Rep.by
The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District. ... Respondent/Complainant
(Crime No. 275 of 2021)

For Petitioner : M/s.R.Maheswaran for Mr.Susikumar C,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For an Anticipatory Bail in Crime No. 275 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Section 306 IPC and Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest act, 2003, in Crime No. 275 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that in the year 2016, the husband of the defacto complainant borrowed a sum of Rs.40,000/- from the petitioner and one Kaliraj (A2), with interest at the rate of 3%. Thereafter, he paid a sum of Rs.30,000/-. But, the accused persons had not deducted the amount given by the husband of the defacto complainant and increased the rate of interest to 15%. Thereafter, the accused persons took the bike of the defacto



complainant's husband and sold the same for a sum of Rs.35,000/- and in addition to that, they also took a sum of Rs.10,000/-. Even then, the accused persons insisted the defacto complainant's husband to pay further amount. Therefore, the defacto complainant's husband committed suicide on 30.06.2021. Hence, the case.

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3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that this is second anticipatory bail petition. The earlier anticipatory bail petition was dismissed by this Court on 24.08.2021. Hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) submits that the petitioner (A1) and A2 have collected exorbitant interest and in view of the harassment given by them, the defacto complainant's husband committed suicide. He further submits that the petitioner and A2 are money lenders and they are in the habit of collecting exorbitant interest as a hereditary business. They also snatched away a bike, for which, another case has been registered against the petitioner and A2 in Cr.No.442 of 2020. He further submits that A2 was arrested in this case and in the statement, A2 confessed that they have collected exorbitant interest and harassed the deceased. Hence, he prayed for dismissal of the petition.

5. Considering the nature of offence and since there is no change in circumstances in the case, after the dismissal of the earlier petition, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

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

OGY

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 Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.14023 of 2021

Date :05/10/2021

RD/SKN/SAR-I (26.10.2021) 3P 3C