



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

Date : 20/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.15105 of 2021

WEB COPY

Kanagaraj,

... Petitioner / Sole Accused

Vs

State Rep.by
The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.
Cr.No.298 of 2021.

... Respondent / Complainant

For Petitioner : M/s.Ananth C.Rajesh,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

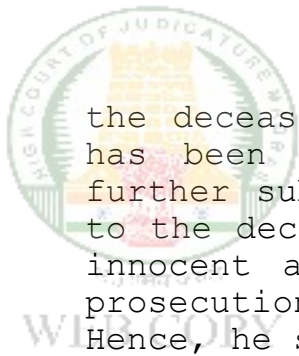
For bail in Crime No.298 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 19.09.2021 for the offence punishable under Sections 294(b), 306 IPC and 4, 9 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, in Crime No.298 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased and his wife borrowed a sum of Rs.70,000/- from the petitioner for 5% monthly interest. Since the deceased failed to repay the same, the petitioner and his wife scolded the deceased for non-payment of interest and also demanded Rs.5,00,000/- as principal with interest from the deceased. Unable to tolerate the same, on 06.09.2021, the deceased committed suicide by way of self-immolation. Hence, the complaint.

3.The learned counsel for the petitioner submits that the deceased and his wife indebted heavily by borrowing hand loans from <https://hservices.courts.gov.in/hservices/>. In order to escape from them, the deceased had committed suicide and there is no harassment or abetment on the part of this petitioner. At the time of committing suicide, the wife of



the deceased is very much available in her house and the complaint has been lodged after six hours from the occurrence. He would further submit that there is no necessity for the petitioner to go to the deceased house and demand the interest. The petitioner is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 19.09.2021. Hence, he seeks for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has collected exorbitant interest and apart from the deceased, two more victims are affected by the petitioner. He would further submit that the investigation is in crucial stage and hence, he strongly opposed for grant of bail to the petitioner.

5. Though the learned counsel for the petitioner submitted that there is an inordinate delay in lodging the complaint, this is not a ground to enlarge the petitioner on bail, when the defacto complainant has lost his husband and nobody was there to lodge a complaint, the delay may occur. Considering the vehement objection raised by the learned Additional Public Prosecutor that the petitioner has committed an offence for claiming exorbitant interest and the investigation is in crucial stage, this Court is not inclined to enlarge the petitioner on bail.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM/MSA

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,
UTHUMALAI POLICE STATION,
TENKASI DISTRICT.

<https://hccservices.gov.in/>
2. THE CHIEF OF POLICE IN CHARGE,
SUB JAIL, TENKASI.



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

WEB COPY

CRL OP(MD) . No.15105 of 2021

ORDER IN
CRL OP(MD) No.15105 of 2021
Date :20/10/2021

SB/JM/SAR-IV/28.10.2021/3P/4C