



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.18471 of 2021

Mari @ Mariappan

... Petitioner/Accused No.1

Vs

The State rep.by,  
The Inspector of Police,  
Pasupathipalayam Police Station,  
Karur District.  
(Crime No.665/2021)

... Respondent/Complainant

For Petitioner : Mr.B.Santhanam Rajesh Kumar,  
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No.665 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.665 of 2021, seeks anticipatory bail.

3.The case of the prosecution is that the defacto complainant obtained a sum of Rs.25,000/- as loan from the petitioner. When the defacto complainant approached the petitioner for re-paying the principal loan amount, the petitioner demanded exorbitant interest and also abused and threatened her with dire consequences. Hence, the complaint.



4. This petitioner moved anticipatory bail earlier, which came to be dismissed by this Court on 28.10.2021, based on the report filed by the respondent stating that the petitioner is in the habit of collecting exorbitant interest from the general public.

5. Now, the learned counsel for the petitioner submits that this is the second application for anticipatory bail. Now the petitioner has filed an affidavit to the effect that he will not involve in any finance business in future.

6. Considering the affidavit filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this criminal original petition is allowed and 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 Judicial Magistrate Court No.I, Karur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judge concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with the 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
08/12/2021

/ 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 COURT NO.I,  
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE  
PASUPATHIPALAYAM POLICE STATION, KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.18471 of 2021  
Date :08/12/2021

VRN  
MK/PN/SAR.III/15.12.2021/3P/5C