

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.1105 of 2020

AMARAJOTHI

[PETITIONER / ACCUSED]

Vs

1 THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
TIRUPATTUR TOWN POLICE STATION,
TIRUPATTUR DISTRICT.
CRIME NO.13 OF 2020.

[RESPONDENT]

2 FELIX @ SURESH KUMAR

For Petitioner : M/S.KARAN AND UDAY Advocate

For 1st Respondent : MR.A.DAMODARAN, Additional public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 294(b), 506(ii) and 386 IPC r/w 3 and 4 of TNP of Charging Exorbitant Interest Act, in Crime No.13 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner gave loan to the defacto complainant and then he demanded huge interest from him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this Court by order dated 26.02.2020 granted interim anticipatory bail to the petitioner on certain conditions.

4. In view of the above submission, the interim anticipatory bail granted to the petitioner in Crl.OP.No.1105 of 2020 dated 26.02.2020 is made absolute on the following conditions;

[a] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of one month and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

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

-sd/-
06/07/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
TIRUPATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUPATTUR TOWN POLICE STATION,
TIRUPATTUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.KARAN AND UDAY Advocate on payment of necessary
charges SR.NO.10886

CRL OP.1105/2020

Date :06/07/2022

JPA 13/07/2022