



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.10254 of 2022

SOUNDARAPANDIYAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
CHIDAMBARAM TALUK POLICE STATION,
CUDDALORE DISTRICT
(CRIME NO.133/2022)

[RESPONDENT]

For Petitioner : M/S S.N.SUBRAMANI Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner herein apprehends arrest by the respondent police for an offences under Section 174 of Cr.P.C altered into Section 306 of IPC in Crime No.133 of 2022 on the file of the respondent police seeks anticipatory bail.

2.In a case of suicidal death of one Ilanjsurian on 06.02.2022 three petitioners who arrayed as accused alleging that they have tortured the deceased demanding more interest from him for the money they have lent. As far as this petitioner is concerned, the witnesses have stated that he has given a loan for a sum of Rs.1,00,000/- to the deceased in respect of repaying the same with interest, the petitioner along with other accused was demanded more interest and harassed the deceased.



3.The petitioner claims that he is innocent and in fact the deceased after borrowing one lakh from him had failed to repay the money and had committed suicide. For the same reason to evade repayment, he made a false case after the death of the said Ilanjsurian.

4.According to the witnesses it is alleged that this petitioner was demanded exorbitant interest from the deceased and other two witnesses have seized his vehicle and deprived of his livelihood.

5.Take note of the fact that the custodial interrogation of the petitioner is not required in the case. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Chidambaram, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m., until further orders;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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 is 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



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

29/04/2022

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,
NO.II, CHIDAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
CHIDAMBARAM TALUK POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.N.SUBRAMANI Advocate on payment of necessary charges SR.NO. 6622

CRL OP.10254/2022

Date :29/04/2022

RW 06/05/2022