



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.13673 of 2022

1.Ranganayagi

2.Seker @ Rajendiran

..Petitioners

Vs.

The Inspector of Police,
P-4, Basin Bridge Police Station,
Pulianthope, Chennai
crime No.269 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 438 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.269 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Saravanan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 08.05.2022 for the offence punishable under Sections 448, 506(i), 306 of IPC r/w Section 3 of TNP Charging Extorbidant Interest Act, 2003 in crime No.269 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that the deceased borrowed Rs.7 lakhs from A1 for interest. Thereafter, the accused persons demanded more interest and also forced the deceased to sell her house. Therefore, the deceased committed suicide by pouring kerosene on her and set fire. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant bail to the petitioners.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally five accused, in which the petitioners are A1 and A2. They are family members. Since the accused persons forced the deceased to sell her house for the money borrowed, the deceased committed suicide by pouring kerosene on her and set fire. Hence, he vehemently opposed to grant bail to the petitioners.

5. It is seen that the petitioners are all family members. There are totally five accused, in which the petitioners are arrayed as A1 and A2. It seems that the deceased borrowed loan for a sum of Rs.7 lakhs from the petitioners. Thereafter, there were money transactions between them. However, the deceased failed to repay the final instalment and as such, the petitioners and other family members demanded money and they compelled to sell her house and repay the amount. Therefore, the deceased committed suicide by pouring kerosene and set fire on her on 05.05.2022. Except the allegations that the petitioners demanded money from the deceased to repay the same, there was no instigation by the petitioners to commit suicide by the deceased soon before her death.

6. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from 08.05.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) (each) with two blood related sureties, each for a like sum to the satisfaction of the learned X Metropolitan Magistrate, Egmore and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

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

[d] the petitioners shall not tamper with evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 229A IPC.

WEB COPY

-sd/-

14/06/2022

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 X METROPOLITAN MAGISTRATE,
EGMORE.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
P-4, BASIN BRIDGE POLICE STATION,
PULINATHOPE, CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.M.SARAVANAN Advocate on payment of necessary
charges SR.No.9000

CRL OP.13673/2022

Date :14/06/2022

CSK 14/06/2022