



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14284 of 2022

PARVATHY

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VILLUPURAM
VILLUPURAM DISTRICT
CRIME NO.14 OF 2022.

[RESPONDENT]

For Petitioner : M/S.A.MURUGAVEL Advocate

For Respondent : M/S.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 apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act 2003 in Crime No.14 of 2022, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner submitted that the alleged occurrence is said to have taken place on 27.09.2019 and the First Information Report in the above case has been registered by the Respondent Police on 18.05.2022 on the basis of the complaint given by the de-facto complainant by name Vinayagamoorthy S/o Jayaraman of No.18, 3rd Cross Street, Gandhi Nagar, Puducherry - 595 009. He further submitted that totally there are two named person said to have been involved in the above case and out of them, the petitioner herein is arrayed as A2 who is the mother or A1.



3. There are two accused in this case, in which the petitioner is arrayed as A2. Even according to the case of the prosecution, the de-facto complainant borrowed a sum of Rs.97,00,000/- from A1 and repaid some huge amount. Even then, accused persons demanded more interest. As far as the petitioner is concerned, she is arrayed as A2 and this Court is of the view that custodial interrogation of the petitioner herein is does not required.

4. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Tindivanam, Villupuram District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with 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 absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-

29/06/2022

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 JUDICIAL MAGISTRATE,
NO.I, TINDIVANAM,
VILLUPURAM DISTRICT.

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

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VILLUPURAM,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.MURUGAVEL Advocate on payment of necessary charges
SR.NO. 10291

CRL OP.14284/2022

Date :29/06/2022

RW-05/07/2022