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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

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

CrI.OP.No.14510 of 2022

Settu @ Nagooremeeran

..Petitioner/A3

Vs.

The State
Represented by the Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore
crime No.302 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.302 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Ram Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.05.2022 for the offence punishable under Sections 420, 294(b), 506(1) of IPC, 1860 r/w Section 4 of Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003 in crime No.302 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the defacto complainant borrowed Rs.7,50,000/- on 09.07.2020 from A1 and for which Rs.1,00,000/- per 10 days has been charged as interest. Further, the defacto complainant so far paid Rs.50,00,000/- to A1, however A1 to A3 are demanding further sum of Rs.15,00,000/- by threatening her and her husband. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not ask for such exorbitant interest and he never threatened the defacto complainant demanding



Rs.15,00,000/- . However, the false complaint has been registered as against the petitioner. Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally four accused, in which the petitioner is arrayed A3, who along with other accused persons threatened the defacto complainant demanding exorbitant interest for the money borrowed by her. He would further submit that A1 was already granted anticipatory bail by this Court in CrI.OP.No.10756 of 2022 dated 11.05.2022. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Chidambaram 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 petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

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

[d] the petitioner 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 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.

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24/06/2022

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, CHIDAMBARAM.

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

3 THE OFFICER INCHARGE,
SUB JAIL, CHIDAMBARAM.

4 INSPECTOR OF POLICE,
ANNAMALAI NAGAR POLICE STATION,
CUDDLAORE DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.RAM KUMAR Advocate on payment of necessary charges SR.NO. 10025

CRL OP.14510/2022

Date :24/06/2022

RW-27/06/2022