



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15234 of 2022

V.EALUMALAI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
FAIRLANDS POLICE STATION,
SALEM DISTRICT
CRIME NO.413 OF 2022

[RESPONDENT]

For Petitioner : M/S I.M.SIDDARTHA RAMARAJAN Advocate

For 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 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420, 506(i) of IPC and Sections 3 & 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act 2003 in Crime No.413 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 11.06.2022, the petitioner alleged to have demanded exorbitant interest from the de-facto complainant/Guarantor, scolded him in obscene language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has lent loan of Rs.3,00,000/- as a wholesome to one Gopal/Borrower, on 2018, for his family expenses. The borrower after receiving the loan amount on 2019, fled the town and absconded without any repayment. Therefore, the petitioner asked the de-facto complainant /Guarantor about the repayment of loan amount. Immediately, the de-facto complainant gave a false complaint against



the petitioner. He further submitted that the petitioner is an innocent person and no way connected with the alleged offence. Hence he prays to grant anticipatory bail to the petitioner.

4. Considering the facts and circumstances of the case, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No-V, Salem 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 daily at 10.30 a.m. for a period of two weeks and thereafter 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.

-sd/-
01/07/2022

WEB COPY

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.V, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
FAIRLANDS POLICE STATION,
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S I.M.SIDDARTHA RAMARAJAN Advocate on payment of
necessary charges SR.NO.10490

CRL OP.15234/2022

Date :01/07/2022

JPA 06/07/2022