



Crl.OP.No.16084 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(1) of IPC in crime No.625 of 2018 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners borrowed a loan from the defacto complainant and paid part loan. Thereafter, they refused to pay the balance loan amount. When the defacto complainant went to the petitioners' house, there was a wordy quarrel. At that time, the petitioners threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners borrowed a loan of Rs.30,00,000/- from the defacto complainant's finance company by executing necessary documents and repaid Rs.17,00,000/- and a balance of Rs.13,00,000/- has to be paid. While repaying the principal, the interest collected by them separately. Since the petitioners had loss in business, they sought time from the defacto complainant to repay the balance



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amount. However, without giving time and not serving any demand notice, this false complaint has been registered. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners borrowed a loan from the defacto complainant and though they repaid a part of the amount, they refused to pay the balance loan amount and also threatened the defacto complainant with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. The learned counsel for the intervenor would submit that right from 29.05.2018, neither the interest nor the principle was paid by the accused despite of repeated demand made by the defacto complainant. Therefore, on 18.08.2018 at about 10.00 a.m., the defacto complainant and his wife went to the accused's place, at that time they threatened him with dire consequences and also gave life threat. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

6. Already the petitioner filed anticipatory bail petition before this Court in Crl.OP.No.27631 of 2018. While pending the said petition, the



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petitioners represented before this Court that they were ready and willing to settle the amount and as such, the matter was referred to Mediation Centre of this Court. In fact, the petitioners agreed to settle the amount before the Mediation Centre and thereafter, they failed to settle the amount. Therefore, the anticipatory bail petition was dismissed. This petition has been filed after four years for the very same relief. The learned counsel for the intervenor would submit that though it is a money transaction between the petitioners and the defacto complainant, they submitted fabricated documents and availed loan and when it was questioned by the defacto complainant, the petitioners threatened him with dire consequences.

7. Therefore, the custodial interrogation of the petitioners is very much required. As such, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition is dismissed.

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