



Crl.O.P.No.18804 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 506(i) of IPC r/w Section 4 of Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.808 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant running a flower shop at Palladam and in the month of March 2021 to extend her flower business, she borrowed money from her relatives/1st and 2nd petitioners herein for a sum of Rs.1,60,000/- for monthly interest. After getting money, the first petitioner has informed the defacto complainant that she has to pay weekly interest instead of monthly interest, once the defacto complainant not paid the amount, the petitioners threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution



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and they have been falsely implicated in this case. Therefore, he prays to grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioner borrowed a sum of Rs.1,60,000/- from the 1st and 2nd petitioners. After getting money, the first petitioner has informed the defacto complainant that she has to pay weekly interest instead of monthly interest, once the defacto complainant not paid the amount, the petitioners threatened the defacto complainant with dire consequences. . Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, the custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the ***learned Judicial Magistrate, Palladam*** on condition that the petitioner shall



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execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

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



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[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 absconds, a fresh FIR can be registered under Section 229A IPC.

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