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Crl.O.P.No.19487 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

Crl.O.P.No.19487 of 2022

Thirumaran

... Petitioner

Vs.

The State Rep. by,
Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.
(Crime No.219 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.219 of 2022 on the
file of the Inspector of Police, Mannargudi Town Police Station,
Thiruvarur District.

For Petitioner : Mr.Swamisubramanian

For Respondent : Mr.A.Gopinath
Govt Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.07.2022 for the offences punishable under Sections **294(b), 384, 506(ii) of I.P.C and Section 4 of Exorbitant Interest Act, 2003 and Section 18(1) of Tamil Nadu Money Lenders Act, 1957** in Crime No. 219 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant obtained a loan of Rs.25,000/- from the petitioner, for which, the petitioner charged exorbitant interest. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that, apart from this case, there is no previous case pending against the petitioner. However, he opposed to grant bail to the petitioner.



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5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 28.07.2022, this Court is inclined to grant bail to the petitioner.

6. 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 sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Mannargudi, Thiruvarur District** 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 twice daily at 10.30.a.m., and 04.30.p.m., for a period of two weeks and thereafter 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.



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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 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.

23.08.2022

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To

1. Judicial Magistrate No.I,
Mannargudi, Thiruvarur District
2. Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.
3. Sub Jail,
Mannargudi.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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