



Crl.OP.No.20474 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b) IPC and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.97 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as per the complaint lodged by the defacto complainant, the petitioner had given a hand loan of Rs.50,000/- to the defacto complainant at the rate of 12% per annum. However, the defacto complainant had paid only the interest towards part payment and he had to pay the principal amount and the interest due for the few months. As such, the petitioner went to the house of the defacto complainant and abused him in filthy language and threatened him with dire consequences. Due to mental stress and agony, the defacto complainant's son attempted to commit suicide by consuming poison. However, he was saved on the treatment given by the Government



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is alleged to have abused the defacto complainant in filthy language and threatened him with dire consequences. Due to mental stress and agony, the defacto complainant's son attempted to commit suicide by consuming poison. However, he was saved on the treatment given by the Government Hospital. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-



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6. 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, Pappireddipatti, Dharmapuri District 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.

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

29.08.2022

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