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CrI.O.P.No.24047 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 of Cr.P.C @ 306 of IPC, in Crime No.65 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the deceased namely Dharnabaranyam, who was residing in Karaikal had availed various hand loans from different persons and he had committed suicide on 26.06.2022 as he could not repay his loans. Hence, the complaint.

3. The learned counsel for the petitioner would submit that other than that the petitioner had given loans to the *de-facto* complainant's husband/deceased, he has not committed any offence. He would further submit that the similarly placed co-accused has been enlarged on anticipatory bail. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that the accused persons A1 to A9, who are money lenders have harassed and tortured the deceased by demanding high interest for their money and thereby, due to frustration the deceased committed suicide by hanging. He would further submit that the suicide notes seized during the investigation reveals that nearly 15 person being the money lenders by demanding high interest had abetted the deceased to commit suicide. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Perused the materials available on record and the suicide note of the deceased. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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



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from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Karaikal**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

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13.10.2022

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