



CrI.O.P.No.28897 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 342 & 506(ii) of IPC, r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.160 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the *de-facto* complainant had borrowed a sum of Rs. 10 crores from several persons and since he was unable to repay the money, the petitioners along with other accused had abused and assaulted the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are arrayed as A1, A2, A4, A5, A11, A16, A20, A22, A26 & A28 and totally there are 28 accused in this case. He would submit that even as per the prosecution, the *de-facto* complainant had received the money from several persons including the petitioners and he did not return the money. When the same was questioned by the petitioners, the *de-facto* complainant has foisted false case against the petitioners as if they had demanded exorbitant interest.



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Therefore, he prays for grant of anticipatory bail to the petitioners.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the *de-facto* complainant had borrowed a sum of Rs.10 Crores from several persons including the petitioners and since he was unable to repay the amount, the petitioners along with other accused had abused and assaulted the *de-facto* complainant. He would submit that there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that there is no previous case pending against the petitioners, 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 thier appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Ulundurpet** on condition that the petitioners shall execute a



separate 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 automatically 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., until further orders.**

[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.

[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]**.



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

24.11.2022

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