



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 10/02/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.1759 of 2022

V.Karupaiah

... Petitioner/Sole Accused

Vs.

State represented by
Sub Inspector of Police,
Elanjembur Police Station,
Ramanathapuram District.
(Crime No.6 of 2022)

... Respondent/Complainant

For Petitioner : Mr.R.Venkatesan, Advocate.

For Respondent : Mr.S.S.Madhavan

Government Advocate (Criminal side)

For the intervener : Mr.P.Ranjit Kumar, Advocate.

PETITION FOR BAIL under Sec.439 of Cr.P.C

PRAYER :-For Bail in Crime No.6 of 2022 on the file of the Respondent Police.

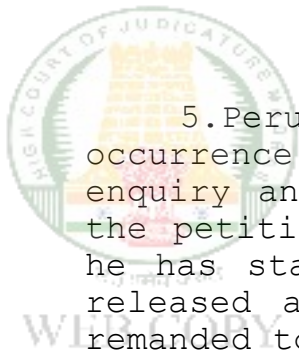
ORDER : The Court made the following order :-

The petitioner, who is arrayed as sole accused was arrested on 20/01/2022 and remanded to judicial custody for the offences punishable under section 306 IPC and sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.6 of 2022 on the file of the respondent police, seeks bail.

2.The petitioner is facing the charges under section 306 IPC and sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

3.Heard both sides.

4.The allegation against the petitioner is that because of the demand of exorbitant interest, he created circumstances, which drove the deceased to commit suicide. The deceased made a videography about the circumstances and that video was sent to his daughter, in turn, the daughter intimated to the police during the course of investigation.



5.Perusal of the CD file shows that on the date of the occurrence I.e., on 19/01/2022, the petitioner was called for enquiry and also attended the enquiry and statement of the son of the petitioner has been recorded and during the course of enquiry, he has stated that after enquiry, the petitioner was left off or released and later, on 20/1/2002 the petitioner was arrested and remanded to judicial custody.

6.During the course of argument, the learned counsel appearing for the petitioner would submit that there was no such claim of exorbitant interest made by the petitioner and the petitioner is ready to waive the amount that has been paid to the deceased and the petitioner is not going to claim any amount from the family of the deceased.

7.The learned counsel appearing for the petitioner would further submit that the petitioner is aged about 58 years and the Investigating Officer was present before this court, as per the direction, he is also stated that because of the age of the petitioner, after enquiry, he was left off.

8.On perusal of the CD file, it is seen that major portion of the investigation is over. So considering the duration of the custody of the petitioner and the fact that there was a money dispute between the deceased and the petitioner and whether the petitioner has created circumstances, which drove the deceased to commit suicide is a mater for investigation.

9.So, considering the duration of the custody of this petitioner and also considering the fact that major portion of the investigation might have been over by this time, this court is inclined to grant bail to the petitioner with certain conditions. 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, Muthukulathur and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

sd/-
10/02/2022

/ TRUE COPY /

10/02/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1 THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3 THE SUB INSPECTOR OF POLICE
ELANJEMBUR POLICE STATION, RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THIRUMANGALAM.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1759 of 2022
Date :10/02/2022

ER
MK/VR/SAR.II/10.02.2022/3P/6C