



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10674 of 2022

1. Sreekanth

2. Parameshwaran @ Eswaran

3. Nishanth

4. Bharathi @ Manoj

... Petitioners/A1 to A4

Vs

The State rep.by
The Inspector of Police,
Karur Town Police Station,
Karur District.
Crime No.422 of 2022.

... Respondent/Complainant

For Petitioners: M/s.VINOTHKUMAR.B,
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.422 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294, 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, in Crime No.422 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant borrowed a sum of Rs.50,000/- from the petitioners for the interest at the rate of 10%. Initially he regularly paid the interest, but, later he could not pay the interest. Therefore, on 11.06.2022, when the defacto complainant admitted in the hospital, the accused person along with other accused persons came there and criminally assaulted him, demanding excess interest and abused him in filthy language. Hence, the complaint.



3. The learned counsel for the petitioners submitted the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is money transaction between the parties. The petitioners are having previous cases.

5. The petitioner has produced the typed set of papers including the list of previous cases. It is seen that some of the cases have been quashed and some cases are with regard to the election issues and another one is under Section 110 Cr.P.C. The counsel for the petitioners submitted that absolutely there is no money transaction between them and the defacto complainant.

6. The learned Government Advocate (Crl. Side) submitted that search was made upon the petitioners' house on the basis of the search warrant and documents such as pronotes, etc., have been recovered.

7. This was denied by the petitioners' counsel. Since the petitioners' counsel submits that there is no money transaction between them and the defacto complainant, the statement made by the petitioners' counsel is placed on record and in view of the above this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Karur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

08/07/2022

/ TRUE COPY /

/07/2022

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 concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.VINOTHKUMAR.B Advocate SR.No.6894

ORDER**IN**

CRL OP(MD) No.10674 of 2022
Date :08/07/2022

SA/VR/SAR.1/19.07.2022/3P/6C