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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.10997 of 2022

M.Suresh

... Petitioner/Accused No.1

Vs

1. State rep.by

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
(Crime No.570/2022)

... Respondent/Complainant

(*) 2. Shanmugam

... 2nd Respondent/Defacto
Complainant

(*) (R2-Suo Motu impleaded as per order
of this Hon`ble Court dated 21.06.2022
in Crl.O.P.(MD)No.10997/2022 by GIJ)

For Petitioner : M/s.Anandan B, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

For R2 : No appearance

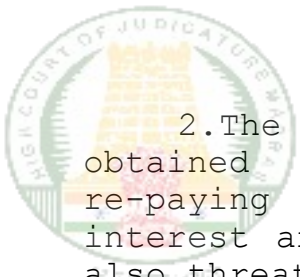
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.570/2022 on the file of the
respondent police

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections
147, 294(b), 324, 506(ii), 427 of IPC and Section 4 of Tamil Nadu
Prohibition of Charging Exorbitant Interest Act, 2003, in Crime
No.570 of 2022, seeks anticipatory bail.



2.The case of the prosecution is that the defacto complainant obtained a sum of Rs.70,000/- as loan from the petitioner. After re-paying the principal loan amount, the petitioner demanded more interest and abused the defacto complainant in filthy language and also threatened him with dire consequence. Hence, the complaint.

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3.The learned counsel for the petitioner submitted that the petitioner is an innocent persons and he has been falsely implicated in this case. He would further submit that the defacto complainant borrowed a sum of Rs.70,000/- from the petitioner and did not repay the same. Instead, the defacto complainant threatened the petitioner with dire consequences.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that no previous case is pending against this petitioner and also submitted that the petitioner had damaged the household articles, which is worth about Rs.50,000/-.

5.Considering the facts and circumstances of the case and the petitioner is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Pattukkottai, and 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 Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Cr.No.570 of 2022 before the learned Judicial Magistrate, Pattukkottai, within a period of two weeks from the date on which the order copy made ready.

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

Sd/-
12/08/2022

/ TRUE COPY /

/08/2022

Sub-Assistant Registrar (C.S.II)
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,
PATTUKKOTTAI.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE INSPECTOR OF POLICE,
PATTUKKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.ANANDAN B Advocate SR.No.8462

ORDER
IN
CRL OP(MD) No.10997 of 2022
Date :12/08/2022

SP/JM/SAR II/26/08/2022/3P/6C