



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

Wednesday, the Twelfth day of October Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) Nos.11479 & 11569 of 2022

IN CRL OP(MD)No. 11479 OF 2022:

1 MANIKANDAN

2 POOPANDIAMMAL

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
GANESHNAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.186 OF 2022)

... RESPONDENT/ COMPLAINANT

AMENDED AS PER ORDER OF THIS HON'BLE
COURT IN CRL MP(MD)NO.7809/2022 IN
CRL OP(MD)NO.11479/2022 DATED
12.07.2022 BY GIJ.

IN CRL OP(MD) 11569 of 2022:

N.INDIRA @ INDRANI

...PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
GANESHNAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT
(CRIME NO.186 OF 2022)

... RESPONDENT/ COMPLAINANT

AMENDED AS PER ORDER OF THIS HON'BLE
COURT DATED 12/07/2022 IN CRL MP(MD)
No. 7806/2022 IN CRL OP(MD)No.
11569/2022 BY GIJ.

ANITHA RAJ

... INTERVENING PETITIONER/
DEFACTO COMPLAINANT/DEFACTO COMPLAINANT
IN CRL.MP(MD).7818/2022 in
CRL.OP(MD).11569/2022



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IN CRL OP(MD)No.



22:

For Petitioners : M/s.Laxman K R, Advocate.
(in both Petitions)

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)
(in both Petitions)

For Intervenor : Mr.A.Balaji, Advocate
(in Crl.MP(MD).7818/2022
in Crl.OP(MD).11569/2022)

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

COMMON PRAYER :- For Anticipatory Bail in Crime No.186 of 2022 on the file of the respondent police.

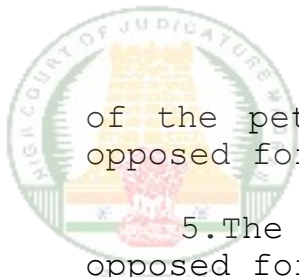
COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 323 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3 and 4 of Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.186 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the accused have lent a sum of Rs.3,00,000/- to the defacto complainant, for which, they are demanding exorbitant interest and harassed the defacto complainant and her family members. Hence, the present complaint.

3.The learned counsel for the petitioners would submit that the petitioners never demanded any such interest from the defacto complainant. The defacto complainant has given a cheque to the accused for the above said amount and the same has also become dishonoured. Therefore, the petitioners have already issued a statutory legal notice under Sections 138 and 142 of NI Act to the defacto complainant. After receipt of the dishonour of the cheque, the defacto complainant has given a false complaint. He would further submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, they may be granted anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the defacto complainant borrowed some amount from the petitioners and they demanded exorbitant interest from the defacto complainant and also harassed her and her family members. There is a specific overt act attributed as against the petitioners. He would further submit that there are five accused in this case and the first and third accused were arrested and remanded to judicial custody and investigation is not yet completed and the custodial interrogation



of the petitioners are required in this case. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.The learned counsel appearing for the intervenor vehemently opposed for grant of anticipatory bail to the petitioners.

6.Considering the seriousness and gravity of the offences and considering the facts that investigation is still pending and the custodial interrogation of the petitioners are required in this case, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, these Criminal Original Petitions are dismissed.

sd/-

12/10/2022

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/10/2022

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

TO

- 1 THE INSPECTOR OF POLICE
GANESHNAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.A.BALAJI, Advocate SR.No.49334 **(F)** (Date:13/10/2022)

ORDER

IN

CRL OP (MD) No.11479 &
11569 of 2022

Date :12/10/2022

cp

SA/VR/SAR.2/26.10.2022/3P/4C