



WEB COPY

CRL OP(MD). A



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/09/2022

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CRL OP(MD). No.11816 of 2022

1. Suriya @ Suriyaprakash,

2. Arun,

... Petitioners/Accused Nos. 2 & 3

Vs

rep

The Inspector of Police,  
Mattuthavani Police Station,  
Madurai City.

Crime.No.246 of 2022.

... Respondent/Complainant

For Petitioners : Mr.S.Sivagurunathan,Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 246 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 4 of Prohibition of Charging Exorbitant Interest Act and Sections 294 (b), 379 and 506(i) of IPC, in Cr.No.242 of 2022, seek anticipatory bail.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioners submitted that the matter has been settled amicably between the petitioners and the defacto complainant.

3. The learned Additional Public Prosecutor concedes the same.

<https://www.mhc.tn.gov.in/judis>



4. Taking into consideration the fact that the matter has been settled amicably between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall be present before the Court on hearing dates and before the respondent police as and when required;

(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]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
08/09/2022

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/09/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE NO.VI,  
MADURAI.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE ,  
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE  
MATTUTHAVANI POLICE STATION,  
MADURAI CITY.

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

+1 CC to M/s.S.MURUGAPANDI, Advocate ( SR-9829[I] dated 09/09/2022 )

ORDER

IN

CRL OP(MD) No.11816 of 2022

Date :08/09/2022

aav

PKP/VRS/SAR-2/13.09.2022/3P/6C