



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2022

PRESENT

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

CRL OP(MD) . No.11984 of 2022

Sudharsan

... Petitioner/Accused No.1

Vs

1. State rep.by

The Inspector of Police,
Bodinayaakkanur Town Police Station,
Theni District.
(Crime No.210 of 2022).

... Respondent/Complainant

(*) 2. Kishorkumar

... 2nd Respondent/Defacto
Complainant

(*) (R2 Suo Motu impleaded as per order
of this Hon`ble Court dated 05/08/2022
in Crl.O.P.(MD)No.11984/2022 by GIJ)

For Petitioner : M/s.Bharathi.C, Advocate

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

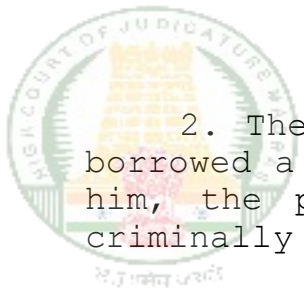
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.210 of 2022 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections
294(b), 506(i) I.P.C and Sections 3 and 4 of Tamil Nadu Prohibition
of Charging Exorbitant Interest Act, 2003, in Crime No.210 of 2022,
on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant borrowed a loan from the petitioner. Though the same was repaid by him, the petitioner demanded exorbitant interest amount and also criminally intimidated him. Hence, the complaint.

3. On the side of the petitioner, it is stated that the petitioner is innocent and he had not committed any such offence, as alleged by the prosecution. Due to money dispute, this false case was foisted against him. He is no way connected with the offence. Hence, prays to release him on anticipatory bail.

4. On the side of prosecution, it is stated that the petitioner is not having any bad antecedent. There was money dispute between the parties. In this case, there are totally two accused and the petitioner is the first accused in this case. Though the defacto complainant paid the loan amount, which was received by him, the accused persons demanded exorbitant interest and also criminally threatened him. Custodial interrogation of the petitioner is necessary in this case, to complete the investigation and hence, prayed to dismiss the petition.

5. Considering the gravity of the offence, the overt act attributed against the petitioner and the nascent stage of investigation and also considering the strong objection raised by the prosecution, this Court is not inclined to grant anticipatory bail to him.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-

12/10/2022

/ TRUE COPY /

/10/2022

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

PNM

TO

1. THE INSPECTOR OF POLICE,
BODINAYAAKKANUR TOWN POLICE STATION,
THENI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11984 of 2022

Date :12/10/2022