



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12221 of 2022

R.Srinivasan,

... Petitioner/2nd Accused

Vs

State Rep.by
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District.
(Crime No. 178 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Poornachandran.S, Advocate.

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

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

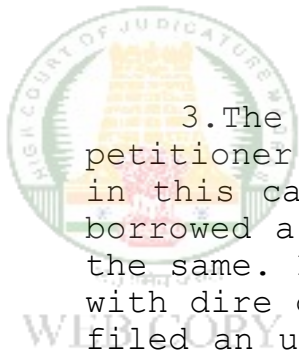
PRAYER :-

For Anticipatory Bail in Crime No. 178 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 506(i) of IPC 1860 and Sections 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.178 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant obtained a sum of Rs.30,000/- as loan from the petitioner. When the defacto complainant approached the petitioner for re-paying the Principal loan amount, the petitioner demanded more interest and also abused and threatened her with dire consequence. Hence, the complaint.



3.The learned counsel for the petitioner submitted the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the defacto complainant borrowed a sum of Rs.15,000/- from the petitioner and did not repay the same. Instead, the defacto complainant threatened the petitioner with dire consequences. He further submitted that the petitioner has filed an undertaking affidavit that the petitioner will not indulge in such activities in future. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that no previous case is pending against this petitioner and the petitioner has also filed an undertaking affidavit, this Court may consider the bail application of the petitioner.

5. Considering the duration of incarceration and also considering the undertaking affidavit filed by the petitioner, this Court is inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate No.I, Pudukottai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.If any violation is noticed or any new case is registered against the petitioner, bail granted by this Court, shall stand automatically cancelled. After releasing on bail, the petitioner must file a copy of the above said affidavit before the concerned Magistrate Court and send another copy to the concerned Police Station.

sd/-
19/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

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,
PUDUKOTTAI.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
GANESH NAGAR POLICE STATION,
PUDUKOTTAI DISTRICT

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

+1 CC to M/s.S.POORNACHANDRAN, Advocate (SR-7409[I] dated 21/07/2022

ORDER

IN

CRL OP(MD) No.12221 of 2022

Date :19/07/2022

tta

PKP/SVR/SAR-4/28.07.2022/3P/6C