



WEB COPY



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

Date : 11/10/2022

PRESENT

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

CRL OP (MD) . No.13377 of 2022

M.Vijayanand

... Petitioner/Accused No.1

Vs

1. State rep.by
The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
(Crime No.310 of 2022).

... Respondent/Complainant

(*)2. Sakthivel

... 2nd Respondent/Defacto
Complainant

(*) (R2 Suo Motu impleaded as per order
of this Hon`ble Court dated 25.07.2022
in Crl.O.P.(MD)No.13377/2022 by GIJ)

For Petitioner : M/s.Deenadhayalan S, Advocate

For Respondent 1 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

For Respondent 2 : M/s.S.Vanchinathan, Advocate

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

PRAYER :-

For Anticibatory Bail in Crime No.310 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 r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.310 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was dispute between landlord/petitioner and tenant/defacto complainant. The defacto complainant borrowed a loan for a sum of Rs.5,000 and Rs.10,000/- 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 landlord and tenant 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 parties. In this case, there are totally three accused and the accused persons demanded exorbitant interest from the defacto complainant and also criminally threatened him. Investigation is not yet completed and hence, prayed to dismiss the petition.

5. Considering the gravity of the offence, considering the dispute between the parties, the overt act attributed against the petitioner and the nascent stage of investigation, this Court is not inclined to grant anticipatory bail to him.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
11/10/2022

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/10/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE INSPECTOR OF POLICE,
THANTHONIMALAI POLICE STATION,
KARUR DISTRICT.

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

+1. CC to M/s.DEENADHAYALAN S , ADVOCATE IN SR No.48847

+1. CC to M/S.S.VANCHINATHAN Advocate SR.No.11195

ORDER

IN

CRL OP(MD) No.13377 of 2022

Date :11/10/2022

SP/GB/SAR II/17/10/2022/3P/5C