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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15594 of 2022

1. Saravanan
2. Geenash @ Dhinesh ... Petitioners/Accused No.7 & 8

Vs

State Rep.by
The Inspector of Police,
Vengamedu Police Station,
Karur District.
Crime No.609 of 2021. ... Respondent/Complainant

For Petitioners : M/s.J.Senthil Kumaraiah, Advocate.
For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.609 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 506(i) IPC and Section 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.609 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs.40,000/- from the accused persons and was making regular payment with exorbitant interest. For the purpose of discharging the above said amount he borrowed money from some other person also. Even after payment of the regular amount there was a demand of Rs.50,000/- by the petitioners and criminally intimidated him. Over the above said issue, they had stolen away his two wheeler also. Hence, the complaint.



3.The learned counsel for the petitioners submitted the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) for the respondent police submitted that the two wheeler stolen away from the defacto complainant was restored to the defacto complainant. He would further submit that the petitioners have already granted anticipatory bail by the Sessions Court, Karur, but, they have failed to comply the condition and hence, the same was cancelled.

5.Considering the nature of offence and that the overt act attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Karur, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8.The petitioners must file an undertaking affidavit stating that they will not indulge this kind of offence in future before the concerned Magistrate Court and send another copy to the concerned Police Station.

9.If any violation is noticed after filing undertaking affidavit, bail granted by this Court, shall stand automatically cancelled without reference to this Court.

sd/-

30/08/2022

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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.I, KARUR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.



3 THE INSPECTOR OF POLICE, VENGAMEDU POLICE STATION, KARUR DISTRICT.

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

+2 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-9336[I], SR-9449[I]
dated 30/08/2022, 02/09/2022)

ORDER

IN

CRL OP(MD) No.15594 of 2022

Date :30/08/2022

TRP

RS/VR/SAR.4 (09.09.2022) 3P-7C