



WEB COPY



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

Date : 14/10/2022

PRESENT

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

CRL OP(MD). Nos.17746, 17749, 17751 of 2022

Tamilselvi	... Petitioner/4 th Accused (in Crl.O.P. (MD) No.17746/2022)
Karuppu @ Karuppasami	... Petitioner/Accused No.2 (in Crl.O.P. (MD) No.17749/2022)
Manikkam	... Petitioner/Accused No.1 (in Crl.O.P. (MD) No.17751/2022)

Vs

State rep.by The Inspector of Police, Thiruthangal Police Station, Virudhunagar District. (Crime No.264 of 2022).	... Respondent/Complainant (in all Petitions)
---	--

For Petitioners :	Mr.R.Pon Karthikeyan, Advocate (in Crl.O.P. (MD) No.17746/2022)
	: Mr.R.Ilayaraja, Advocate (in Crl.OP (MD) Nos.17749,17751/2022)
For Respondent :	Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor (in all Petitions)

PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime No.264 of 2022 on the file of the respondent police.



COMMON ORDER : The Court made the following order :-

The petitioners/A4,A2,A1 herein, who were arrested (on 22.09.2022 (A4, A2), 16.09.2022 (A1)), for the alleged offence under Sections 4 and 9 of Tamil Nadu Prohibition of Exorbitant Interest Act @ Sections 4 and 9 of Tamil Nadu Prohibition of Exorbitant Interest Act, 2003 r/w Section 306 of IPC, in Crime No.264 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant borrowed hand loan from the accused persons and they demanded exorbitant interest from her and her younger son/deceased, through his mobile phone. Since the defacto complainant could not pay the amount, she went to her relative's house at Srivilliputhur. Due to the instigation of the accused persons, on 15.09.2022 her younger son/deceased committed suicide. Hence, the complaint.

3. On the side of the petitioners, it is stated that the petitioners are innocent and they had not committed any offence as alleged by the prosecution. In this case, the petitioners are in custody from the date of their arrest. The A4 is suffering from cancer disease. The petitioners are noway connected with the offence. Hence, prays to release them on bail.

4. On the side of prosecution, it is stated that in this case the accused persons demanded exorbitant interest from the defacto complainant and her son/deceased. The deceased recorded the threatening made by the accused persons in his mobile phone and shared the same through Whatsapp. The accused persons only instigated the deceased to commit suicide. Hence, prayed to dismiss the petitions.

5.Considering the above facts and circumstances of the case, gravity of the offence and serious allegations levelled against the petitioners and also considering the strong objection raised by the prosecution, this Court is not inclined to grant bail to the petitioners.

6.Accordingly, these Criminal Original Petitions stand dismissed. However, considering the ailment of A4, the Superintendent, Central Prison for Women, Madurai is hereby directed to provide necessary medical treatment for her cancer disease at Rajaji Government Hospital, Madurai.

Sd/-

14/10/2022

/ TRUE COPY /

/10/2022

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



- TO
1. THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 2. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
MADURAI.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) . Nos.17746,
17749, 17751 of 2022
Date :14/10/2022

SP/GB/SAR I/19/10/2022/3P/4C