



Crl.O.P.No.1709 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 3 &4 of TN Prohibition of Charging Exorbitant interest Act, 2003 of IPC in Cr.No.113 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant had borrowed a sum of Rs.2,50,000/- from the petitioner. Thereafter, the defacto complainant repaid the same with interest. However, the petitioner demanded for further amount and also threatened the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the already this Court had granted anticipatory bail to the petitioner in Crl.O.P.No.13824 of 2022 in order dated 21.06.2022. however, after the said order was passed by this Court the petitioner suffered from viral fever and hence he cannot executed sureties in time. Hence, the learned counsel prays



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to grant anticipatory bail to the petitioner

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4.The learned Government Advocate (Crl.side) would submit that the petitioner threatened the defacto complainant and asked for exorbitant interest. He opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Gudalur**, on condition that the petitioner shall execute a 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of two weeks and thereafter, as and when require for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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