



Crl.O.P.No.7112 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) of I.P.C r/w Section 3, 4 of Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.61 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Dr.R.Kumaran is that the accused Dr.M.Ravichandran is his maternal uncle and he is living in Thiruvallur and that the defacto complainant borrowed a sum of Rs.15,00,000/- during April-2017 and towards security he had given the RC book of his car and four post dated cheques. He had regularly paid the interest despite that, the accused had demanded more money and threatened him and also demanded exorbitant interest. Hence, the complaint .

3.The learned counsel for the petitioners would submit that the



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petitioner and the defacto complainant are close relatives and case of money dispute has been given a criminal colour. He would further submit that the defacto complainant is the person who has cheated the petitioner, the defacto complainant is none other than his sister's son and he had borrowed a sum of Rs.1,80,00,000/- for getting MD.Seats for his two daughters. Later, he has refused to pay the money and on the complaint given by the first petitioner, the case in Cr.No.60 of 2022 has been registered against the defacto complainant, whereas as a counterblast, he has given a false complaint. He would further submit that the petitioners are ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence he seeks for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners have demanded exorbitant interest and threatened the defacto complainant and had refused to return the security documents even after the full amount have been repaid. However, it is a case and case in counter. Hence, he would vehemently oppose for grant of anticipatory bail to the petitioners.



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5. The learned counsel for the Intervenor would vehemently oppose to grant bail to the petitioners by stating that the petitioners after receiving the full amount, they have failed to return the security documents and also threatened the defacto complainant.

6. Heard both sides and perused the materials available on record.

7. Taking into consideration the facts of the case and the submissions of the learned Counsel for the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Thiruvallur** on condition that each of the petitioners shall execute separate bonds 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10:30 a.m for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] 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];**



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[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC;

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