



CrI.O.P.No. 8770 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.01.2023 for the alleged offence under Section 306 of I.P.C. r/w Sec. 9 of T.N. Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.42 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that originally, the father of defacto complainant obtained a loan from Tamil Nadu State Transport Corporation Housing Society and he was not in a position to repay the loan amount, due to which, he borrowed a sum of Rs.15 lakhs from A1 through A2, however, the petitioner along with other accused said to have threatened them to execute a sale deed in respect of their house to an extent of 1074 sq.ft. containing three floors for Rs. 45 lakhs, but the actual price of house is of Rs.75 lakhs, thereby they said to have given torture to the deceased, due to which, both husband and wife committed suicide by consuming poison on putting up a suicidal note in his pocket. Accordingly, based on the suicidal note, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that in fact, there was a dispute among the family members with respect to the enjoyment of properties, for which, the petitioner is no way connected with the offence. He would submit that there is no specific overtact against the 2nd accused and his name was not found in the F.I.R. as well as in the suicidal note. He would submit that he is an innocent person and he has not at all committed any offence as alleged by the respondent police. He would submit that there is no role of the petitioner in the alleged offence and he has been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 24.01.2023 and this is the third petition seeking for bail. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that totally, there are 4 accused involved in this case and the petitioner is arrayed as A2. He would submit that the petitioner along with other accused have claimed exorbitant interest and also forced them to execute a sale deed in their favour for the amount borrowed by defacto complainant's father and mother, due to which, both



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have committed suicide and died. He would also submit that if he is released on bail, he may abscond and he would tamper the witnesses and hamper the investigation and the investigation is completed and the charge sheet is yet to be filed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner by claiming exorbitant interest from the deceased and also forced them to execute a sale deed in his favour, due to which both husband and wife committed suicide on writing a suicidal note and also the fact that now investigation is completed and the charge sheet is yet to be filed and if he is released on bail, he may abscond and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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