



CRL OP(MD). No.12755 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12755 of 2023

Sivasankaran

... Petitioner/ Sole Accused

Vs

1.The State represented by
The Sub-Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai Town and District.
(in Cr.No.295 of 2023)

...Respondent/ Complainant

2.Nijam Maideen

(R2 is suo motu impleaded
vide Court order dated 13.07.2023)

...2nd Respondent

For Petitioner : M/s.NA.Palaniyandi
Advocate.

For R1 : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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



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PRAYER:-

For Anticipatory Bail in Crime No.295 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 506(1) of IPC read with Sections 3 and 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.295 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a business and he borrowed a sum of Rs.20 Lakhs from the petitioner. He repaid the amount in installment from the year 2020 till January, 2023, with interest. But the petitioner has been demanding Rs.6,00,000/- as remaining principal amount. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.



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4. The matter was earlier referred to mediation to settle the issue and interim anticipatory bail was also granted to the petitioner. But the mediations talks failed since no settlement could be arrived between the parties, the matter was referred to this Court.

5. Learned Government Advocate (Crl.side) would submit that the case came to be registered over money dispute between the parties. No previous case is pending against the petitioner.

6. Considering the facts and circumstances of this case this Court is inclined to grant relief to the petitioner. The interim anticipatory bail granted to the petitioner is made absolute. The petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

sd/-
04/09/2023

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/09/2023

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

pnn

<https://www.mhc.tn.gov.in/judis>



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TO

1 THE JUDICIAL MAGISTRATE NO.I, PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT.

2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKKOTTAI TOWN AND DISTRICT.

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-13198[I] dated 05/09/2023)

ORDER IN
CRL OP(MD) No.12755 of 2023
Date :04/09/2023

RK/JGB (13/09/2023) 4P /6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023