



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14001 of 2023

J.Nagarajan @ Nagaraj

... Petitioner/Petitioner/ Accused No.1

Vs

State through the
Inspector of Police,
Navalpattu Police Station,
Trichy District.
Crime No.187 of 2022.

... Respondent/Complainant

For Petitioner : M/s.A.Haja Mohideen, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.187 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 herein, who was arrested on 25.06.2023 for the alleged offence under Sections 3, 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.187 of 2022, on the file of the respondent police, seeks



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2. The case of the prosecution as per the defacto complainant version is that she used to borrow money from the petitioner who is a money lender and used to repay the amount, for the past several years. In one occasion the petitioner alleged to have received the ATM and passbook belongs to the petitioner's husband as security. The amount of Rs.2,23,000/- borrowed from the petitioner was also repaid on installment basis. Even after repayment of the above said loan amount, threat was made by the petitioner demanding exorbitant interest for the amount. Hence the complaint.

3. The petitioner was arrested and remanded to judicial custody. During the course of enquiry, several documents were seized except the ATM card. This Court made a query to the learned counsel for the petitioner as to the possession of the ATM Card, but the learned counsel for the petitioner is not in a position to inform the Court. However, the learned counsel for the petitioner is ready to appear before the respondent police and share the information about the ATM. The learned counsel for the petitioner would further submit that the petitioner is ready to give up the amount to be paid by the defacto complainant.

4. Considering the period of incarceration and also the fact that the petitioner is ready to give up the balance amount to be paid by the defacto complainant, this Court is inclined to grant relief to the petitioner.



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5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 learned *Judicial Magistrate No.III, Trichy*, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
01/08/2023

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01/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.III
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE
NAVALPATTU POLICE STATION,
TRICHY DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL JAIL, TRICHY.



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

+1 CC to M/s.HAJA MOHIDEEN, Advocate (SR-11624[I] dated 01/08/2023)

ORDER
IN
CRL OP(MD) No.14001 of 2023
Date :01/08/2023

SS/VRS/01/08/2023/4P/7C

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