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CRL OP(MD). No.14261 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14261 of 2023

Muthulakshmi

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Navalpattu Police Station,
Trichy District.
Cr.No.187/2022.

... Respondent/Complainant

For Petitioner : M/s. HAJA MOHIDEEN A,
Advocate.

For Respondent : Mr.S.MANIKANDAN,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 187/2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 3, 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.187 of 2022, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant 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 petitioners demanding exorbitant interest for the amount. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. The prime accused in this case has been released on bail by this Court.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the prime accused who is A1 in this case has been released on bail by this Court by the order dated 01.08.2023 in Crl.O.P.(MD).No.14001 of 2023.

5. Considering the nature of offence and the limited overt act attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.III, Trichy. on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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sureties each for a like sum to the satisfaction of the learned Magistrate concerned and 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 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
04/08/2023

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

TM

TO

1 THE JUDICIAL MAGISTRATE NO.III
TRICHY.

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

3 THE INSPECTOR OF POLICE
NAVALPATTU POLICE STATION,
TRICHY DISTRICT.

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

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



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+1 CC to M/s.HAJA MOHIDEEN, Advocate (SR-11865[I] dated 04/08/2023)

ORDER
IN
CRL OP(MD) No.14261 of 2023
Date :04/08/2023

SA/VRS/29/08/2023/4P/6C

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