



CRL OP(MD)No.14833 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.14833 of 2023

1.Kishore @ Ajith

2.Prakash

3.Saravana Kumar

... Petitioners/ Accused Nos.2 to 4

Vs

The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(Crime No.299 of 2023)

... Respondent/Complainant

For Petitioners : Mr.G.Radhakrishnan, Advocate

For Respondent : Mr.R.Sureshkumar,
Government Advocate(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.299 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 306 IPC in Crime No.299 of 2023, seek anticipatory bail.



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2.The case of the prosecution is that the defacto complainant's wife has obtained a loan of Rs.40,000/-, which is to be paid in 24 equated monthly instalments. She paid 18 instalments property and due to no proper employment to the defacto complainant, the remaining 6 instalments were not paid towards loan. The defacto complainant's wife has obtained the above said loan through the first petitioner, who is an employee of L & T Finance Company Ltd. It is a self help group loan. The defacto complainant's wife was pressurised by the members of the group as well as the first petitioner. In the above said circumstances, on 04.08.2023, when the defacto complainant went to his work, the petitioners herein along with their Branch Manager came to the defacto complainant and demanded to repay the remaining loan instalments. They abused the defacto complainant and his wife. Hence, on 05.08.2023, the defacto complainant's wife committed suicide by hanging herself. Therefore, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.



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4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that due to non-payment of instalment, the petitioners abused the defacto complainant's wife and hence, she committed suicide by hanging herself. Therefore, he objected to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.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 No.I, Karur, on condition that the petitioners shall execute a bond 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:

[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.



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[b] the petitioners shall report before the trial Court on summons.

[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].

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

sd/-
10/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS



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TO

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- 1 THE JUDICIAL MAGISTRATE NO.I
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE
PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.G.RADHAKRISHNAN, Advocate (SR-14968[I] dated 11/10/2023)

ORDER
IN

CRL OP(MD) No.14833 of 2023
Date :10/10/2023

SS/VRS/18/10/2023/5P/6C

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