



CRL OP(MD). No.17442 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

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1.Pandi

2.Uma

... Petitioners/ Accused Nos.1 and 2

Vs

**State Represented by,
The Inspector of Police,
Parthipanoor Police Station,
Ramanathapuram District.
(Crime No.173 of 2023).**

... Respondent/ Complainant

For petitioners : Mr.K.Sathish Kumar, Advocate.

**For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)**

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

PRAYER :-

For Anticipatory Bail in Crime No.173 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) IPC and Section 3 of Prohibition of Charging Exorbitant Interest Act, in Crime No.173 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Fathima Beevi borrowed a sum of Rs.2,00,000/- and Rs.30,000/- from the accused persons as hand loan. Thereafter, the accused persons demanded exorbitant interest. On 05.09.2023 at about 8.00 p.m, the accused persons came to the defacto complainant's house and threatened to pay money to them. Hence, the complaint.

3. The learned counsel for the petitioners would contend that the petitioners are innocent and are no way connected with the alleged offences. Originally one Sabina mortgaged the defacto complainant's jewels for a sum of Rs.3,20,000/- to the first petitioner. When the defacto complainant approached the petitioner and asked to return the jewels by paying Rs.1,85,000/- and she assured that she will repay the remaining amount by monthly installments. On believing the words of the defacto complainant, the first petitioner returned the jewels to the defacto complainant.

Thereafter, the defacto complainant refused to repay the amount and cheated the first



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petitioner.

4. The learned Government Advocate (Crl.Side) would submit that there is money dispute between the petitioners. There is no injured in this case. Further, the first petitioner is involved in two previous cases are dispose of.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions made on either side and considering the nature of offence and there is no injured in this case, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. 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, Paramakudi, Ramanathapuram District, 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police on every Saturday at 10.00 am., for the period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during

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



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3 THE INSPECTOR OF POLICE
PARTHIPANOOR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-14496[I] dated 29/09/2023)

ORDER
IN
CRL OP(MD) No.17442 of 2023
Date :29/09/2023

PKP/DD/SAR- /06.10.2023/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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