



Crl.O.P.No.11882 of 2024

Crl.O.P.No.11882 of 2024

WEB COPY

T.V.THAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 386 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.265 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is engaged business in the name of M/s.Royal Taj Caterers and that during January 2023, he borrowed a sum of Rs.11,00,000/- at 13% interest per month from one Sangeetha and her husband Puratchi for business development and again, he borrowed a sum of Rs.10,00,000/- from one Alina at 20% interest per month and subsequently, he borrowed a sum of Rs.9,50,000/- from one Anjalai at 10% interest per week. Due to which, the petitioners jointly abused the defacto complainant in filthy language and also threatened him and his family with dire consequences, even after returning the money along with interest. Hence the case.



Crl.O.P.No.11882 of 2024

WEB COPY

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally five accused in this case and that the petitioners are ranked as A1, A2 and A3. He further submitted that A1 is having eight previous cases pending against her and there has been no previous cases pending against A2 and A3. He also submitted that the petitioners jointly harassed the defacto complainant by demanding huge rate of interest for borrowed money. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.



CrI.O.P.No.11882 of 2024

WEB COPY

6. Taking note of the fact that the first petitioner is having eight previous cases pending against her, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed as against the first petitioner.

7. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel and also considering the fact that there is no previous cases pending against the second and third petitioners, this Court is inclined to grant anticipatory bail to the second and third petitioners with certain conditions.

8. Accordingly, the second and third petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Metropolitan Magistrate-X, Egmore, Chennai**, on condition that the petitioners shall execute a separate 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 respondent police or the police officer who



CrI.O.P.No.11882 of 2024

intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the second and third petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the second petitioner shall report before the respondent police, as and when required for interrogation;

[c] the third petitioner shall report before the respondent police, on alternate days at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

[d] the second and third petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the second and third petitioners shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take



WEB COPY



CrI.O.P.No.11882 of 2024

appropriate action against the second and third petitioners in accordance with law as if the conditions has been imposed and the second and third petitioners are 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

19.06.2024

ssi



WEB COPY



Crl.O.P.No.11882 of 2024

T.V.TAMIHSELVI, J.,

ssi

Crl.O.P.No.11882 of 2024

19.06.2024