



Crl.O.P.No.12216 of 2024

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T.V.THAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 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.



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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 the workers under the defacto complainant's Company and on his request, they both introduced the petitioners for borrowing money after accepting all terms and conditions of them for his business development. He also submitted that the petitioners asked the defacto complainant for pending salary for the past 8 months which was withhold by him, for which, the defacto complainant gave a false complaint against the petitioners. He further submitted that they 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 (CrI.Side) appearing for the respondent submitted that there are totally five accused in this case and that the petitioners are ranked as A4 and A5 and also submits that A5 is a transgender. He further submitted that the defacto complainant borrowed money from the petitioners for his business development and thereafter, he



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repaid the same along with interest, even then, the petitioners abused and threatened the defacto complainant by demanding more interest. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the 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, **(out of which, one surety must be a**



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blood surety) 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners 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;

[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 has been imposed and the 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;

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