



CRL OP(MD) No.2132 of 2024

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

Monday, the Twelfth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2132 of 2024

1 SANJAY

2 MUNIYAPPAN

3 SRINIVASAN @ SIVA ... PETITIONERS/ ACCUSED (RANKS NOT KNOWN)

Vs

THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR,
CRIMENO.50/2024

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.E.SATHEESH, 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.50/2024 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners / Accused who apprehend arrest at the hands of the respondent
police for the alleged offence punishable under Section 174 Cr.P.C. altered into
Sections 306, 384 IPC r/w Section 9 of Tamil Nadu Prohibition of Charging



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Exorbitant Interest Act, 2003 in Crime No.50 of 2024, seek anticipatory bail.

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2. The case of the prosecution is that A1 is running a Finance Company and the petitioner No.1 is the partner in the said company and the petitioner nos.2 and 3 are employees of the said Finance Company. The defacto complainant approached the said Finance Company to purchase a Cellphone. The petitioners' Finance Company gave a loan to the deceased / wife of the defacto complainant for purchasing the Cellphone. The defacto complainant and his wife paid only two instalments and thereafter, failed to pay the balance amount. Due to which, on 11.01.2024, the petitioners went to the house of the defacto complainant and abused his wife in filthy language and also threatened her to return the amount, due to which, the wife of the defacto complainant consumed rat poison and committed suicide on 20.01.2024. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that admittedly, the petitioners went to the house of the defacto complainant on 11.01.2024 and they demanded only the balance amount from the deceased wife of the defacto complainant not demanded any exorbitant interest. Further, the petitioners went to the house of the defacto complainant, on 11.01.2024. But, the deceased committed



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suicide after 9 days of the occurrence i.e., on 20.01.2024. He further submitted that the co-accused have already been granted anticipatory bail by this Court in CrI.O.P.(MD) No.1402 and 1437 of 2024, dated 05.02.2024. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the State submitted that on behalf of one Shahul, who is the neighbour of the defacto complainant, the defacto complainant, borrowed money from the petitioners' Finance Company for purchasing a Cellphone. After obtaining loan, the said Shahul failed to repay the same. But, the petitioners went to the house of the defacto complainant and abused his wife and threatened her with dire consequences. Thereby, the wife of the defacto complainant consumed rat poison and committed suicide. Further, the investigation is at preliminary stage. Hence, he opposed to grant anticipatory bail to the petitioners.

5. This Court perused the FIR. From the perusal of FIR, it is revealed that the petitioner No.1 is the partner of the said Finance Company and Petitioner Nos.2 and 3 are the employees of the said Finance Company and they went to the house of the defacto complainant and threatened the wife of the defacto complainant on 11.01.2024. But, she committed suicide after 9 days of the occurrence i.e., on 20.01.2024.



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6. Considering the facts and circumstances of the case and also considering the facts that except the allegation against the petitioners that the first petitioner is the partner of the Finance Company and the petitioner Nos.2 and 3 are the employees of the said Finance Company, no other allegation has been attributed against them and the co-accused have already been granted anticipatory bail by this Court, this court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are granted anticipatory bail and they 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 of receipt of a copy of this order, 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 and on further condition that:

(a).if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b).the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c).the petitioners are directed to appear before the respondent police daily at 10.30 A.M. until further orders;

(d).the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e).the 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 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]; and;

(g).if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/02/2024

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/02/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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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, KARUR TOWN POLICE STATION,
KARUR.

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

ORDER

IN

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Date :12/02/2024

RS/VR/SAR-(15.02.2024) 6P 5C

Madurai Bench of Madras High Court is issuing
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