



CRL OP(MD) No.3724 of 2024

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

Friday, the Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3724 of 2024

SIVAGNANAM

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
VIJAYANARAYANAM POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO.49 OF 2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.RAJESH.P Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. 49 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 342, 294(b) and 506(ii) of IPC and Section 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.49 of 2024, seeks



anticipatory bail.

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2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs.30,000/- from the petitioner as hand loan and the same was regularly paid. Despite of the payment, on 16.02.2024, the petitioner had invited the defacto complainant to her house claiming to give further sum of Rs.1,00,000/- and abused the defacto complainant using filthy language and confined her in a room and threatened her to produce the said amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. In fact, there is no money transaction between the petitioner and the defacto complainant. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (crl.Side) would submit that he has no objection to grant anticipatory bail, if the petitioner assures that he will not demand any money from the defacto complainant in future.

5. The learned counsel for the petitioner would further submit that the petitioner will not demand any money from the defacto complainant in future.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is come forward not to demand money from the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, Tirunelveli District, on condition that the petitioner shall execute a 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 intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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

(c)the petitioner shall report before the respondent Police as and when required;

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

(e)the petitioner shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-
08/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE JUDICIAL MAGISTRATE,
NANGUNERI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
VIJAYANARAYANAM POLICE STATION,
TIRUNELVELI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.3724 of 2024
Date :08/03/2024

SA/VR/SAR. /18.03.2024/5P/5C

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