



CRL OP(MD)No.7070 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.05.2024

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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1.Masilamani
2.Chitra
3.Keerthana
4.Saravana Balaji
5.Dhandapani

... Petitioners/ Accused

Vs

The Inspector of Police,
Samayapuram Police Station,
Trichy District.

(*)Crime No.122 of 2024

... Respondent/Complainant

For Petitioners : Mr.T.Lenin Kumar, Advocate
For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in **(*)Crime No.122 of 2024** on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for



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the offences punishable under Sections 147, 148, 294(b), 324, 427, 506(ii) IPC r/w Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in (*)**Crime No.122 of 2024** on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs.7,50,000/- from the first petitioner for his personal needs. Thereafter, he regularly paid interest without any default. When the defacto complainant tried to settle the outstanding amount, the petitioners demanded unfair interest and principal amount and the same was questioned by him. At that time, the petitioners herein abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there is no previous case pending as against the petitioners.

5.Taking into consideration the facts and circumstances of the case and also the fact that there is no previous case pending as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate-III, Tiruchirappalli 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 conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners Nos.1, 2, 4 and 5 shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation. It is submitted by the learned counsel for the petitioner that the third petitioner is a pregnant lady and hence, she shall appear before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with the 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



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law as if the conditions have 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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/05/2024

**(*)AMENDED AS PER ORDER OF THE
COURT DATED 02.07.2024 IN CRL MP
(MD)NO.5936 OF 2024 IN CRL OP(MD)
NO.7070 OF 2024 BY AANJ**

/ TRUE COPY /

/07/2024

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

gns

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 16/05/2024 ALREADY
DESPATCHED.**

1 THE JUDICIAL MAGISTRATE NO.III,
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.



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3 THE INSPECTOR OF POLICE,
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.T.LENINKUMAR, Advocate SR No.7298 dated 03.06.2024

ORDER
IN
CRL OP(MD) No.7070 of 2024
Date :16/05/2024

RS/GS/SAR-(21.05.2024) 5P 6C

RK/JGB (05.07.2024) 5P/6C

Madurai Bench of Madras High Court is issuing
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