



CRL OP(MD). No.21689 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Saleem

... Petitioner / Accused No.9

Vs

1.The State of Tamil Nadu

Represented by the Deputy Superintendent of Police,
CBCID, Madurai Zone,
Madurai.

2.The State of Tamil Nadu

Represented by the Inspector of Police,
CBCID South, Madurai City.
(Crime No.3 of 2024)

... Respondent/Complainant

For Petitioner : Mr.C.Jeya Prakash, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate Criminal Side)

For Intervenor : Mr.S.Poornachandran, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 3 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



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the alleged offences under Sections 448, 120(B), 406, 420, 294(b), 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.3 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a private company. He initially borrowed a sum of Rs.20 lakhs from A2 through A1. Even for this borrowing, exorbitant interest was charged by them. Thereafter, for business purpose, the defacto complainant borrowed a sum of Rs.1.7 crores on various occasions. The specific case of the defacto complainant is that he had repaid back a sum of Rs.2.23 crores through bank transaction. In spite of the same, the accused persons were demanding exorbitant interest and they entered into the house of the defacto complainant, threatened with dire consequences and also took away the two wheeler and car of the de facto complainant.

3. The defacto complainant initially gave a complaint to the police, which was not acted upon. Therefore, he had filed an application under Section 156(3) of Cr.P.C before the Magistrate. Based on the direction, no action was taken. Therefore, the defacto complainant approached this Court and filed a petition in CrI.O.P(MD) No. 11179 of 2024. This Court by order, dated 08.08.2024 transferred the investigation to the file of CBICD Police Station. Pursuant to the same, FIR has been registered in Crime No. 3 of 2024. There are totally 9 accused persons in this case and the



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petitioner is A9. He is the father of A1.

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4. Heard the learned counsel on either side and perused the material records of the case.

5. Taking into consideration the facts and circumstances of the case and considering the fact that A3 to A7 were granted anticipatory bail by this Court in Crl.OP(MD).No.19750 of 2024 by order dated 15.11.2024 and this petitioner happens to be the father of the accused and there are no bad antecedents against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner 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 on which the order copy is made ready, before the learned Judicial Magistrate Court No.IV, Madurai, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar



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card or Bank Pass Book to ensure their identity.

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[b] the petitioner shall appear before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
10/12/2024

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/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL



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TO

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1 THE JUDICIAL MAGISTRATE, IV, MADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, MADURAI ZONE, MADURAI.

4 THE INSPECTOR OF POLICE,
CBCID SOUTH, MADURAI CITY.

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

+1. CC to C.JEYA PRAKASH Advocate SR.No.15173(I) dated 10/12/2024

ORDER
IN

CRL OP(MD) No.21689 of 2024

Date :10/12/2024

PSP/ SKN /SAR /18.12.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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