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Crl.O.P.No.3078 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

Crl.O.P.No.3078 of 2025

1. S.Selva  
2. Lakshmi ... Petitioners/A2 and A3

Vs.

The State represented by,  
The Inspector of Police,  
Ambur Taluk Police Station,  
Tirupathur District.  
(Crime No.16 of 2025). ... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.16 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.T.Dhasarathan

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 22.01.2025, seeking bail in Crime No.16 of 2025 registered for the offence under Section 108 of BNS and Section 4 of TN Prohibition of Charging



Exorbitant Interest Act, 2003.

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2. The case of the prosecution is that on 02.01.2025, a complaint was lodged by the defacto complainant stating that her brother/deceased had borrowed money from the petitioners, who had demanded exorbitant interest and had caused harassment by demanding interest and the principal amount, as a result of which, the deceased committed suicide.

3. The learned counsel appearing for the petitioners would submit that the allegations would not suggest that the petitioners had committed any positive act for commission of suicide by the deceased and that in any case, further custody is not required for the purpose of investigation and considering the period of incarceration, they may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the bail petition, reiterated the prosecution case and submitted that the deceased has written a suicide note, in which he has accused the petitioners of charging exorbitant interest and that on account of the harassment, he had committed suicide. He further submitted that this Court had granted anticipatory bail to the



co-accused/A1.

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

6. Considering the nature of allegations, the fact that this Court had granted anticipatory bail to the co-accused/A1, the period of incarceration and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the learned **Additional District Munsif-cum-Judicial Magistrate, Ambur, Tirupathur District**, and on further conditions that:

[a] the sureties shall affix their photographs and  
Left Thumb Impression in the surety bond and the



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Magistrate 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 everyday at 10.30 a.m., until further orders;**

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

**17.02.2025**

*ars*



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**SUNDER MOHAN., J.**

*ars*

To

1. The Additional District Munsif-cum-Judicial Magistrate,  
Ambur, Tirupathur District.
2. The Inspector of Police,  
Ambur Taluk Police Station,  
Tirupathur District.
3. The Superintendent,  
Central Prison, Vellore.
4. The Superintendent,  
Central Prison for Women, Vellore.
5. The Public Prosecutor,  
High Court of Madras.

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