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Crl.O.P.No.32316 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32316 of 2024

Buela Sagaya Selvi

... Petitioner

Vs

The State by it's
The Inspector of Police,
Vadalur Police Station,
Vadalur,
Cuddalore District.
Crime No.330 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the
event of her arrest in Crime No.330 of 2024 on the file of the respondent.

For Petitioner	:	Mr.K.Sukumaran
For Respondent	:	Mr.Santhosh
		Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.330 of 2024
registered for the offences punishable under Section 296(b) of BNS r/w Section
4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, the
present petition has been filed by the petitioner seeking anticipatory bail.



2. The case of the prosecution is that the defacto complainant had borrowed an amount of Rs.6,60,000/- and he has also repaid five times more than the amount which was borrowed. However the accused continued to harass him asking more money. Hence, the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the defacto complainant had refused to repay the amount and when the petitioner demanded to repay the same, false complaint has been lodged. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner harassed the defacto complainant by asking exorbitant interest for the money. He further submitted that the petitioner has no previous cases pending against her.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the



Crl.O.P.No.32316 of 2024

materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly the petitioner is ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Kurinchipadi**, on condition that the petitioner 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.

[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



CrI.O.P.No.32316 of 2024

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

02.01.2025

Index : Yes/No

Internet : Yes/No

rts



CrI.O.P.No.32316 of 2024

WEB COPY

To

1. The Inspector of Police,
Vadalur Police Station,
Vadalur,
Cuddalore District.
- 2.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J,

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