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Crl.O.P.No.3330



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

CORAM :

**THE HON'BLE MR. JUSTICE K. RAJASEKAR**

**Crl.O.P.No.33306 of 2025**

1.Manjula  
2.Selvakumar  
3.Raja

... Petitioners

-VS-

State Rep by,  
The Inspector of Police  
Shoolagiri Police Station,  
Krishnagiri District.  
(Crime No.488 of 2025)

... Respondent

**Prayer:-** Criminal Original Petition filed under Section 482 of BNSS, pleaded to  
enlarge the petitioner on bail in the event of their arrest in Crime No.488 of 2025  
pending investigation on the file of the respondent police.

For Petitioners : Mr.M.A.Gouthaman

For Intervener : Mr.P.Thinesh

For Respondent : M/s.J.R.Archana  
Government Advocate (Crl.Side)

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## ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 296(b) and 351(1) of BNS,2023 and section 4 of the Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No. 488 of 2025, seeks anticipatory bail.

2. The allegation against the petitioners is that the first petitioner and third petitioner have come forward to grant loan to the defacto complainant for asum of Rs.10 lakhs and for the purpose of securing the loan, the defacto complainant was forced to execute the sale deed in the year 2022 in respect of a housing plot. Subsequently, A1 joined hands with A2 and demanded the defacto complainant to return back the money and threatened the defacto complainant and obtained another property by way of sale deed. Thereafter, the defacto complainant has regularly repaid the loan amount and paid up to Rs.60 lakhs. When the defacto complainant has demanded to close the loan amount and to return back the property, these petitioners have demanded Rs.50 lakhs more for settling the properties. Thereafter these petitioners have joined together and taken away properties from the shop of the defacto complainant worth about Rs.15 lakhs. Hence the complaint was lodged.

3.The learned counsel for the petitioners submitted that it is true that A1



has given a loan for a sum of Rs.10 lakhs and it was not repaid. Hence the defacto complainant has voluntarily executed sale deed in favour of the first petitioner. Similarly the second loan was also obtained by the defacto complainant and money was deposited into the bank account of the defacto complainant and that was also not repaid for which another sale deed was also executed. Thereafter, it is alleged that the petitioners have taken away Rs.15 lakhs worth about fancy items from the shop of the defacto complainant and the said allegations are said to be false and admittedly this occurrence was taken place long before and the complaint was lodged only in the month of November 2025. Hence, he prays for grant bail to the petitioners.

4. The learned counsel for the intervener submitted that inspite of payment of Rs.60 lakhs as interest, and also executing two sale deeds, the petitioners herein towards the loan amount of Rs.25 lakhs given to defacto complainant, collected more than Rs.60 lakhs and further demanded Rs.50 lakhs which is an exorbitant interest and due to which the defacto complainant has been harassed and humiliated and further the properties from the shop was also taken away by the petitioners herein. Hence, if the petitioners are granted bail, it would hamper the investigation. It is further submitted that apart from this case, the petitioners are also having some other cases of similar in nature. Hence, if the bail is granted, they will indulge in similar activities. Hence, opposed for grant of



bail to the petitioners.

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5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that apart from this case, the petitioners also having one another case before the District Crime Branch. Hence, opposed for grant of bail to the petitioners.

6.I have gone through the records and considered the arguments made by both sides and since all the transaction are borne out by documents and further it is alleged that the payments were made through the bank transactions, I am of the view that custodial interrogation of this case is not required, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Hosur**, on condition that **the petitioner shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:



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(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (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 application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

**(c) The petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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**To**

1.The Judicial Magistrate-I, Hosur.

2.The Inspector of Police  
Shoolagiri Police Station,  
Krishnagiri District.

3.The Public Prosecutor,  
High Court, Madras.



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**K. RAJASEKAR, J.**

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