



CRL OP(MD). No.6320 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.6320 of 2026

Sundararaju

... Petitioner/ Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Crime No.71/2026.

... Respondent/ Complainant

PRAYER :-

For Anticipatory Bail in Crime No.71/2026 on the file of the
respondent police

For Petitioner : Mr.S.Poornachandran,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



CRL OP(MD), No.6320 of 2026

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 296(b), 329(4), 74 and 351(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.71 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the complainant borrowed a sum of Rs.2 lakhs from the petitioner and also given a two blank cheques. Thereafter, she repaid the same. However, the petitioner demanded exorbitant interest for the debt. When the same was refused, he initiated the proceedings under Section 138 of NIA Act by using the blank cheques, which was given by the complainant at the time of borrowal. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioners would submit that the petitioner is an innocent and has was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that there is no such a demand as alleged by the prosecution. The



CRL OP(MD), No.6320 of 2026

complainant borrowed loan from various persons. They have initiated the proceedings against the complainant under Section 138 of NIA Act. In order to escape from that, this case has been registered against the petitioner and the petitioner is aged about 71 years and he is a senior citizen and no previous case is pending against him. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that though the complainant repaid the debt, the petitioner demanded exorbitant interest for the debt and he also initiated the proceedings against the complainant under Section 138 of NIA Act by using the blank cheques, which was given at the time of borrowal. Hence, he opposes to grant anticipatory bail to the petitioner. However, he fairly conceded that the petitioner has no previous case.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, and it is a case of money



CRL OP(MD), No.6320 of 2026

dispute and no one sustained injury in this case and the petitioner has no previous case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate, Orathanadu, and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.30 a.m for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

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



CRL OP(MD), No.6320 of 2026

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

01.04.2026

dss

P. DHANABAL,J

dss

To

5/6



CRL OP(MD), No.6320 of 2026

- 1.The Judicial Magistrate,
Orathanadu.
- 2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6320 of 2026

Date : 01/04/2026