



Crl.O.P.No.29085 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 108 of BNS Act in Crime No.182 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution, as per the defacto complainant one Elumalai is that, his son one Vignesh, who had worked as a Collection agent at Shriram Finance, Vandavasi Branch had committed suicide by hanging himself on 11.11.2024. It is further stated that the petitioners herein are the General Manager, Senior Chief Manager and Business Manager, respectively of the said Finance company and they had given lot of work load and created pressure on the said Vignesh, further insulted him, in front of co-workers for not achieving the collection targets. Thereby, the said Vignesh relieved from the said Finance company and joined another company named Five Star Finance Company at Vandavasi, however, the petitioners herein called him over phone and compelled him to collect the loan amount sanctioned through him or settle the same, due to which, Vignesh had committed suicide leaving a suicide note. Hence, this case.



3. Learned counsel appearing for the petitioners would submit that

the petitioners are innocent and have not committed any offence and a false complaint has been lodged against them. He would further submit that, the petitioners are the General Manager, Senior Chief Manager and Business Manager, respectively of the Shriram Finance company and they have not tortured, harassed the deceased Vignesh. He further submitted that the deceased had initially joined the company and worked as a Marketing and Sales Executive person under Jewel Loan Division and he had voluntarily gave resignation letter by citing health reasons and the same was also accepted, however after few months, the deceased Vignesh had requested to rejoin in the company, hence, he was reappointed and posted under Jewel Loan Division at Thellar Branch. He further submitted that, the deceased once again submitted his resignation letter stating health reasons, and after serving the notice period, his resignation was accepted by the company and from 31.08.2024, he was relieved from the company, and after his resignation, the deceased joined in some other company namely Five Star Finance Company. Therefore, without any reason and with ulterior motive, a false complaint has been registered as against the petitioners. He also submitted that the FIR was registered under Section 194 of BNS act, however, the charges are modified to Section 108 of BNS act, but the same has not been altered yet. He further submitted that the petitioners are ready to produce solvent sureties and to abide by any conditions



that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioners, stating that the deceased Vignesh, worked as a Collection Agent in the Shriram Finance company, in which the petitioners herein are working as General Manager, Senior Chief Manager and Business Manager, respectively. He would further submit that due to the torture and work pressure created by these petitioners, the deceased had resigned his job and joined another Finance Company namely Five Star Finance Company, however, the petitioners herein continuously tortured and put the deceased Vignesh under pressure to collect the loan amount sanctioned through him and also to settle the same, even after his resignation. Due to which, the deceased Vignesh had committed suicide by hanging, leaving a suicide note stating the name of the petitioners herein in the suicide note. He also submitted that the charges against the petitioners are yet to be altered.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR and suicide note.



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6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, this Court is 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 days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Vanthavasi** on condition that the petitioner shall execute a separate 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 petitioners 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 card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10:30 a.m., for a period of one week and thereafter, every Saturday at 10:30 a.m., until further orders.



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

[d] the petitioners 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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

04.12.2024

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