



CrI.O.P.No.30063 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.402 of 2024 registered for the offences punishable under Sections 195, 115(2) and 118 of BNS, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent and they are employees of Muthoot Finance. The deceased, apart from borrowing a loan from the Muthoot Finance, has also borrowed loan from several other financial institutions. Since he was unable to repay the same, the deceased has committed suicide. He further submits that other than asking the deceased to repay the loan amount, the petitioners have not committed any offence as alleged by the prosecution and there is absolutely no material to show that the petitioners have abetted the deceased to commit suicide. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.



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3.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 defacto complainant's husband had borrowed loan from the petitioners' Company and also from other financial institutions. Since the money lenders have pressurized the deceased for repayment, he has committed suicide by hanging and he has also left a suicide note.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record including the suicide note of the deceased, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Komarapalayam on condition that the petitioners 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



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officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

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

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for one week and thereafter every Saturday at 10.30 a.m until further orders;

[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 absconds, a fresh FIR can be registered under Section 269 of BNS.



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