



Crl.A.(MD)Nos.1168 and 1169 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 12.11.2025

Pronounced on : 18.11.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.A.(MD)Nos.1168 and 1169 of 2025

Manikandan

... Appellant in Crl.A.
(MD)No.1168 of
2025/Accused No.5

Rajesh

... Appellant in Crl.A.
(MD)No.1169 of
2025/Accused No.6

Vs.

1.The Deputy Superintendent of Police,
Ponnamaravathy Sub Division,
Pudukkottai District.

2.The State of Tamil Nadu, represented by
The Inspector of Police,
Ponnamaravathy Police Station,
Pudukkottai District.
(Crime No.159 of 2025)

3.Gnanavel

... Respondents in
both the appeals



Crl.A.(MD)Nos.1168 and 1169 of 2025

Common Prayer : These Criminal Appeals filed under Section 14A(2) of SC/ST Act, 1989 as Amended by Act 1 of 2016, to call for the records relating to the order in the Court of the Court of Special Court for Trial of SC/ST (POA) Amendment Act 2015 cases, Pudukkottai, in Crl.M.P.Nos. 204 of 2025 and 205 of 2025 and the same were dismissed on 08.10.2025 and set aside the same and grant bail to the appellants by allowing these criminal appeals.

For Appellants : Mr.D.Anbarasu
for Mr.S.Mahendra Pathy
in Crl.A.(MD)No.1168 of 2025

Mr.S.Mahendra Pathy
in Crl.A.(MD)No.1169 of 2025

For Respondents : Mr.K.Gnanasekaran
Government Advocate (Crl. Side) for R1 & R2
in both the appeals

Mr.P.Gunasekaran for R3 in both the appeals

COMMON JUDGMENT

These Criminal Appeals are directed against the common order passed in Crl.M.P.Nos.204 of 2025 and 205 of 2025 dated 08.10.2025 on the file of the Special Court for Trial of SC/ST Act Cases, Pudukkottai, dismissing the applications for bail filed under Section 483 B.N.S.S.



Crl.A.(MD)Nos.1168 and 1169 of 2025

2. The appellants are the accused 5 and 6 in Crime No.159 of 2025 on the file of the second respondent police.

3. The case of the prosecution is that the third respondent / defacto complainant availed a housing loan from Cholamandalam Finance and Belstar Micro Finance Limited, that the third respondent is working as a driver at Chennai, that on 30.09.2025, the first accused and the other accused contacted the third respondent through phone and asked him to pay the amount due to them, that the accused went to the house of the third respondent and threatened his wife to pay the due immediately and abused her with filthy language by using a caste name and instigated her to commit suicide and that the third respondent's wife set fire and succumbed to the injuries.

4. On the basis of the complaint lodged by the third respondent, FIR came to be registered in Crime No.159 of 2025 under Section 108 BNS on 01.10.2025 against the first accused Naveen (Collection Agent, Cholamandalam Finance, Ponnamaravathy), Cholamandalam Finance Collection Manager and their Collection Agents and Belstar Micro



Crl.A.(MD)Nos.1168 and 1169 of 2025

Finance Limited Collection Agents and that after preliminary investigation, the case was altered to the offences under Section 108 BNS r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act, 1989.

5. It is not in dispute that the appellants were arrested on 01.10.2025 and are in judicial custody. The appellants moved applications under Section 483 BNSS in Crl.M.P.Nos.204 of 2025 and 205 of 2025 before the Special Court for Trial of SC/ST Act Cases, Pudukkottai, seeking bail and the learned Sessions Judge, after enquiry, passed the impugned common order dated 08.10.2025 dismissing the bail applications. Aggrieved by the dismissal of the bail applications, the present appeals came to be filed.

6. The case of the appellants is that the appellants did not involve in any crime as alleged by the prosecution, that the appellants are only collection agents, that the victim has not received any money directly from Belstar Micro Finance Limited but the amount was received by one Alagammal (victim's in-law), that the appellants were no way connected with the victim, that the appellants did not abuse and attack the victim or the third respondent and that since the appellants are in judicial custody from 01.10.2025, they may be enlarged on bail.



Crl.A.(MD)Nos.1168 and 1169 of 2025

WEB COPY

7. The first respondent filed a counter affidavit raising serious objections.

8. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that during investigation, 8 persons were arrayed as accused and the appellants are the accused 5 and 6 and after coming to know about their involvement, they were arrested on 01.10.2025, that all the other accused are absconding, that the appellants are collection agents of Belstar Micro Finance Limited run by the accused 7 and 8, that the appellants and the other accused's threatenings and abuses are against the procedures prescribed by the Reserve Bank of India and its Regulatory Framework for Microfinance loans, 2022 and standing procedures laid down by the Government of India, that due to the abuse and threatenings committed by the appellants and other accused, the victim was driven to commit suicide, that investigation is at the initial stage, that the prosecution has recorded the statement of 10 witnesses, that since the offences alleged are serious in nature, the learned Sessions Judge has rightly dismissed the bail applications and that therefore, the impugned common order does not warrant any interference.



Crl.A.(MD)Nos.1168 and 1169 of 2025

9. The learned counsel appearing for the appellants would submit that the appellants are innocent and are no way connected with the alleged occurrence and that they have been falsely implicated in the above case. He would further submit that the accused 1 and 2 have filed a petition before this Court and obtained directions.

10. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the accused 1 and 2 moved a petition before this Court in Crl.O.P.(MD)No.17452 of 2025 under Section 528 BNSS and this Court passed an order dated 13.10.2025 directing the petitioners therein to surrender before the jurisdictional Court and the concerned Court was directed to consider the petitioners' bail petition and he has produced the copy of the said order. In the said order, this Court has clarified that the learned Sessions Judge, while disposing the bail petition, shall consider the gravity of the offence, previous antecedent of the petitioners and pass orders, after affording due opportunity of hearing to the victim under Section 15-A of SC/ST (POA) Act, 1989.



Crl.A.(MD)Nos.1168 and 1169 of 2025

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11. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioners in Crl.O.P. (MD)No.17452 of 2025 have not surrendered before the jurisdictional Court as directed by this Court. At this juncture, the learned counsel appearing for the appellants would submit that the said petitioners have moved an extension petition and the same is pending before this Court.

12. The learned counsel appearing for the third respondent would submit that the appellants are not the staffs of the Belstar Micro Finance Limited and the said Finance company had engaged the appellants to collect the amounts due to the company forcibly, that the appellants were arrested at the occurrence place on that day itself, that since the appellants had abused the victim with unparliamentary words using caste name and threatened her to pay the dues immediately, she was forced to commit suicide and that since the appellants are also responsible for the third respondent's wife suicide, the impugned common order of the learned Sessions Judge dismissing the bail applications is liable to be confirmed.

13. The learned counsel appearing for the appellants has produced



Crl.A.(MD)Nos.1168 and 1169 of 2025

copies of Employee Register for the appellant in Crl.A.(MD)No.1168 of 2025 and the ID card for the appellant in Crl.A.(MD)No.1169 of 2025 to show that they are the employees of Belstar Micro Finance Limited and the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would also confirm that the appellants are the employees of the said Finance company.

14. Whatever it is, considering the facts and circumstances, gravity of the offence alleged and also the fact that investigation is at initial stage and the appellants are in judicial custody only from 01.10.2025, this Court is not inclined to grant bail to the appellants at this point of time and as such, the impugned common order of the learned Sessions Judge cannot be found fault with.

15. In the result, these Criminal Appeals are dismissed.

18.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

8/10



Crl.A.(MD)Nos.1168 and 1169 of 2025

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1. The Special Sessions Judge,
Special Court for Trial of SC/ST (POA) Act Cases,
Pudukkottai.
2. The Deputy Superintendent of Police,
Ponnamaravathy Sub Division,
Pudukkottai District.
3. The Inspector of Police,
Ponnamaravathy Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.A.(MD)Nos.1168 and 1169 of 2025

K.MURALI SHANKAR,J.

csn

Pre-Delivery Common Judgment made in
Crl.A.(MD)Nos.1168 and 1169 of 2025

Dated : 18.11.2025