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Crl.O.P.No.30549 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-11-2025

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.30549 of 2025

D. Karthikeyan

... Petitioner/ A2

Vs

The State rep. by,
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
(Crime No.371 of 2025)

... Respondent

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in P.R.C.No.23 of 2025 on the file of the learned Judicial Magistrate, Dharapuram, Tiruppur District.

For Petitioner(s) : Mr. John Sathyan, Senior Advocate
For Mr. C.S. Saravanan

For Intervenor : Mr. Henri Tiphagne

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioner herein, who was arrested and remanded to judicial custody on 10.09.2025 for the offences punishable under Sections 191(2), 191(3), 103(1), 109(1), 351(3), 3(5), 61(2), 111(2), 49, 190, 309(3), 111(3), 238(a), 249(a) of BNS, section 92(b) of the Rights of Persons with Disabilities Act, 2016 and Sections 27(1) and 25(1)(a) of the Arms Act, 1959 in P.R.C.No.23 of 2025 on the file of the learned Judicial Magistrate, Dharapuram, Tiruppur District, seeks bail. The earlier bail application of the petitioner herein in Crl.O.P.No.27262 of 2025 was dismissed by this Court, vide common order dated 08.10.2025.

2. The case of the prosecution is that there was previous enmity between the deceased namely Tr.Muruganandham, who is a practicing Advcoate and A1/ Dhandapani, who was the paternal uncle of the deceased. The deceased had instituted various legal proceedings against A1 and his family members and also against schools run by them alleging several violations. He obtained orders from this Court for a survey and measurement of the school properties to note any such violations. The survey was fixed on 28.07.2025 at about 13:00 hours, and accordingly the deceased, who is an Advocate, together with other persons, proceeded to



the place of occurrence. It is alleged that prior to the survey a conspiracy was hatched by A1, A2 and A18, with the assistance of A8 and others, that an amount of Rs.1 Crore was agreed upon for the purpose of eliminating the deceased; that thereby, a sum of Rs.70 lakhs was paid to A4 and Rs.30 lakhs was paid to A18. Thereafter, A10 and A12 and other accused were picked up in the school van, brought to the school, and concealed there, waiting for the arrival of the deceased. On arrival, the deceased and his friend were immediately attacked by the accused; the deceased was murdered on the spot and the friend who accompanied him was also indiscriminately assaulted. Hence, this case.

3. The learned Senior Counsel appearing for the petitioner submitted that there was a civil dispute between the family members of the deceased and A1 from the year 1999; that the deceased in this case is the A1's elder brother's son; that since the petitioner herein is the son of A1 and only based on the third confession of the co-accused, the petitioner has been falsely implicated in this case; that the earlier bail application of the petitioner in Crl.O.P.No.27262 of 2025 was dismissed by this Court, vide common order dated 08.10.2025; that the investigation of the case was



completed and charge sheet filed in P.R.C.No.23 of 2025 on the file of the learned Judicial Magistrate, Dharapuram, Tiruppur District; that the similarly placed co-accused/ A16 and A17 as per the charge sheet were already granted bail by the Principal Sessions Judge, Tiruppur, vide order dated 04.11.2025 in Crl.M.P.No.2646 of 2025. He further submitted that the petitioner had left India on 07.07.2025 and he was not in India at the time of occurrence, that based on a Look Out Circular, the petitioner was arrested and remanded to judicial custody on 10.09.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, hence sought for bail to the petitioner.

4. The learned counsel appearing for the intervenor raised strong objection for the grant of bail to the petitioner by stating that the petitioner herein and the deceased are close relatives; that on account of previous enmity, the petitioner herein conspired with other accused, committed the murder of the deceased, on the very same date which the father of the deceased was done to death, twenty five years ago on account of property dispute between the family members of the deceased and A1. He further submitted that the deceased in this case is a practising advocate, who had



raised objections and instituted various legal proceedings against A1 and his family members regarding various irregularities committed by them in respect of their private trust and schools; that there was also an order passed by this Court in a writ petition to demolish the certain portions of the said school building and it was challenged before the Apex Court, however the Apex Court confirmed the same; that only thereafter, conspiracy has been hatched to commit murder of the deceased and the same was executed. He further submitted that the petitioner herein conspired with other accused to commit the murder of the deceased; that further in order to evade the clutches of the law, the petitioner had intentionally left India and went to a foreign tour for a longer period along with other accused, leaving his wife in India, who was 6 months pregnant at that time, in order to show that he was not present in India at the time of occurrence. He also submitted that the petitioner herein joined hands with other accused and one of the witnesses had made an attempt to create a false motive by fabricating certain records, as though the deceased was murdered by someone on account of land dispute and to avoid motive attributed against the petitioner in the murder of the deceased. He further submitted that the witnesses who spoke about the same, is also cited in the



final report, hence it is a clear case of conspiracy hatched by the petitioner herein along with A1 and other accused in committing the murder of the deceased.

5. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that there was a previous enmity between the family members of the petitioner herein and the deceased and due to which, the petitioner joined hands with other accused and murdered the deceased; that the investigation of this case was completed and final report filed in P.R.C.No.23 of 2025 on the file of the learned Judicial Magistrate, Dharapuram, Tiruppur District; that there are totally 20 accused in this case and the petitioner is arrayed as A2; that the petitioner conspired with other accused and based on that conspiracy, a sum of Rs.70 lakhs was paid to A4 and Rs.30 lakhs was paid to A18 for murdering the deceased; that the specific overtact against the petitioner herein is that the petitioner had created a bogus sale agreement to be executed in favour of the witness one Arun Prasad and A9/ Dhatchinamoorthy in order to divert the investigation as though the murder was committed by someone in connection with that



land dispute; that the statement of the witnesses Arun Prasad and Siva Kumar clearly reveals the active role of the petitioner in the offence.

6. I have considered the submissions made on both sides and perused the materials available on record.

7. Taking note of the facts of the case, the gravity of offence, the circumstances relied on by the prosecution that the petitioner herein attempted to create a false motive between A9 and the deceased, the petitioner fabricated certain documents and sale agreements, the act of the petitioner leaving the country, while his wife was in advance stage of pregnancy, all the above facts clearly stands against the petitioner herein and it is enough to establish *prima facie* case regarding the participation of the petitioner herein in the conspiracy and to commit murder of the deceased, hence this Court is not inclined to grant bail to the petitioner

8. Accordingly, this criminal original petition stands dismissed.

14.11.2025

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K. RAJASEKAR, J.

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To

1. The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
(Crime No.371 of 2025)
2. The Public Prosecutor,
High Court of Madras.

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