



CRL OP(MD). No.8434 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28.05.2025

PRESENT

THE HONOURABLE MS. JUSTICE **R.POORNIMA**

CRL OP(MD). No.8434 of 2025

and

CrI.M.P.(MD).No.6663 of 2025

1. Ponnudurai
2. Kombaiah
3. Manikandan

... Petitioners/ Accused 4 to 6

Vs

The State rep. through its
The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.241 of 2025).

... Respondent/Complainant

For Petitioner : Mr.P.M.Vishnuvarthanan
For Intervener : Mr.A.K.Gopalan
For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (CrI.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.241 of 2025 on the file of the respondent Police.



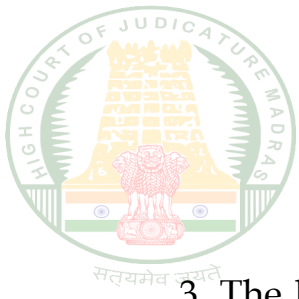
CRL OP(MD). No.8434 of 2025

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ORDER : The Court made the following order :-

The petitioners/ A4 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under section 108 of BNS in Crime No.241 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there is a civil dispute between the deceased Rajasekar and the petitioners. The petitioners have filed an E.P.No.75 of 2023 in O.S.No.38 of 1981 on the file of the Sub-Court, Srivaigundam. The petitioners approached the deceased and stated they are ready to withdraw the said case, he would pay a sum of Rs.50,00,000/-. Believing their words, the deceased sold his jewels and out of his hard earned money, paid a sum of Rs.45,00,000/- in several installments. However, the petitioners failed to withdraw the case. Therefore, on 29.04.2025, the deceased who is the father of the Defacto-complainant, requested the petitioners to withdraw the case, but the petitioners refused to withdraw the case and abused him in filthy languages and threatened him with dire consequences. Due to frustration, he consumed poison and died on the same day at 2:30p.m. Hence the complaint.



CRL OP(MD). No.8434 of 2025

WEB COPY

3. The learned Counsel appearing for the petitioners would submit that due to civil dispute, a suit was filed in the year 1981 and it was decided in favour of their grandmother. Subsequently, their grandmother died leaving behind around 16 legal heirs. The petitioners are one among the legal heirs. They have also filed an Execution Petition in E.P.No.75 of 2023, for recovery of possession. The deceased Rajasekar, who is the respondent/defendant has also appeared in the said Execution Petition and filed his counter on 17.04.2025. Subsequently, he died by committing suicide on 30.04.2025. The petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. Due to previous enmity between the deceased, the defacto-complainant lodged a false complaint against the petitioners. Hence, he prayed to grant anticipatory bail to the petitioners.

4. An intervening petition filed by producing certain documents and stated that the deceased Rajasekar entered into an agreement with the accused in the year 2023. Further states that the deceased Rajasekar is the father of the intervener. The accused persons who are residing in the same village are having men and money power and they have bad criminal antecedents. Therefore, he is not in a position to contest the case, but decided to enter into a compromise by terms of money and also paid a sum of Rs.45,00,000/- to the petitioners. But, after receipt of money, they failed to



CRL OP(MD). No.8434 of 2025

withdraw the case and they scolded in filthy languages and also threatened him with dire consequences. Out of frustration his father Rajasekar had committed suicide. Hence, he prayed to dismiss the present anticipatory bail petition.

5. The learned Government Advocate (Crl.Side) appearing for the respondent stated that the petitioners received money from the deceased with false promise to withdraw the case. When the same was questioned by the deceased, they refused to return the money. The petitioners abetted him to commit suicide. On 30.04.2025, he had committed suicide and died. The respondent police also recovered the suicide note in which the deceased mentioned the names of the accused persons. He also stated that the investigation is in initial stage. The Accused No.4 is having three previous cases, the Accused No.5, is having ten previous cases and the Accused No.6 is having six previous cases. Hence, he strongly objected to allow the present petition.

6. Taking into consideration of the fact that the petitioners are facing serious allegation of abet to commit suicide and the investigation is in initial stage, coupled with the fact that the petitioners are having bad antecedents and various criminal cases are pending against the petitioners. Taking into consideration of the serious



CRL OP(MD). No.8434 of 2025

objections raised by the Additional Public Prosecutor, this Court is of the view that if the petitioners are released on bail, there is a chance of hampering and tampering the evidence. Therefore, this Court is not inclined to grant Anticipatory bail.

7. Hence, this Criminal Original petition is dismissed. Consequently, connected miscellaneous petition is closed.

sd/-
28/05/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO
1 THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.M.VISNHUVARTHANAN, Advocate (SR-5807[I] dated 28/05/2025)

ORDER
IN
CRL OP(MD) No.8434 of 2025
Date :28/05/2025

SS/SAR- /03/06/2025/ 5P/4C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023