



CRL OP(MD).No.12589 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.12589 of 2025

and

Crl.M.P(MD)Nos.10209 and 10220 of 2025

S.Karthikeyan
S/o.Sekar

...Petitioner/Sole Accused

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
Aranthangai Police Station,
Pudukottai District.
(Crime No.301 of 2025)

...Respondent/ Complainant

For Petitioner : Mr.R.Venkateshwar
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

For Intervenor : Mr.S.Veerapandiselvaraj
in Crl.O.P(MD)No.10209 of 2025

For Intervenor : Mr.R.Prasanna
in Crl.O.P(MD)No.10220 of 2025



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER:- For Bail in Crime No.301 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 11.07.2025 for the offences punishable under Sections 108, 238, 303(2), 318 (4) of BNS, 2023, in Crime No.301 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and defacto complainant's deceased son are close friends. The defacto complainant's son collected money from his friends Sivasurya and Nanthakumar and gave it to the petitioner for sending those persons abroad, but the petitioner has not taken any steps. When the same was questioned by the deceased, the petitioner failed to return the money and cheated him. Due to depression, on 10.07.2025, the deceased committed suicide by hanging himself. At that time, the petitioner came to the deceased's house and took the deceased's mobile phone intending to delete the evidence and leaving the spot. Hence, the defacto complainant lodged a complaint and the case has been registered.

3. The learned counsel for the petitioner submits that the petitioner is not at all involved in the offence as alleged by the prosecution. The petitioner and the deceased



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are close friends. The deceased collected money from his friends, namely Sivasuriya and Nanthakumar, to send abroad, but he did not arrange job for them. Two days prior to the occurrence, one Sathaiya arranged a compromise talk between the deceased and his friends regarding repayment of money in Sathaiya's home. Further, the deceased requested to grant time for repayment because of the reason that the deceased's father is undergoing treatment for cancer, but the above said Sathaiya and his friends, Sivasuriya and Nanthakumar, abused the deceased with filthy words and assaulted the deceased. As per the prosecution, after the occurrence, the petitioner went to the deceased's house and took the deceased's mobile phone and deleted the video. But the video is now available and in that video, the deceased alleged against the two persons and did not aver even a single word as against the petitioner.

4. He would further submit that the learned Judicial Magistrate, Aranthangi, allowed the custody application on 24.07.2025. The petitioner was taken into police custody on the same day, and his mobile phone was recovered, one video was there, and it was form part of the case diary and again, he was produced to judicial custody. The learned counsel further submits that the respondent police sent a daily situation report (DSR) to the Superintendent of Police, Pudukottai, on 11.07.2025 as Crime No.301 of 2025 registered under Section 194 of BNSS. Later, the petitioner was remanded in Crime No.301 of 2025 under Sections 108, 238, 303(2), 318(4) of BNS,



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and he also produced the report to that effect. Hence, it is crystal clear that the petitioner was implicated in this case with an ulterior motive. The petitioner is in custody for the past 21 days and hence, he seeks bail.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police submits that the deceased and the petitioner are close friends. The petitioner is doing manpower agency and sending persons abroad. The deceased received the money from some persons and gave it to the petitioner for sending those persons abroad, but the petitioner failed to do so. When the same was questioned by the deceased, the accused failed to return the money and cheated him. Hence, on mental depression, the deceased committed suicide by way of hanging by uploading a video. After seeing that video, the petitioner rushed to the deceased's home and suddenly he took the cellphone of the deceased and deleted the video. Hence, he strongly objected to grant bail to the petitioner.

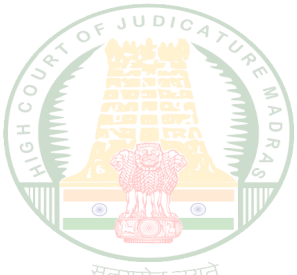
6. The learned counsel for the intervenor in CrI.M.P(MD)No.10220 of 2025 submits that the defacto complainant is the father of the deceased. The petitioner is an agent who sends people abroad for work. He asked the deceased to refer the deceased's friends. Believing the words of the accused, introduced his friends, namely Nanthakumar and Sivasuriya, to the accused for overseas job opportunities. The petitioner has received Rs.9,60,000/- from one Sivasuriya and Rs.10,60,000/ from one



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Nanthakumar partly through the deceased and partly from the said persons. After receiving the money, the petitioner failed to obtain any job and also refused to return the money and cheated the deceased and his friends. When the deceased questioned the same, the petitioner threatened him and further caused mental agony. Due to which, the defacto complainant's son committed suicide by hanging on 10.07.2025 and before suicide, he sent a video to his friends about the suicide. After seeing the video, the petitioner rushed to the deceased's house and took the mobile phone of the deceased and deleted the video message. He would further submit that the said mobile phone is yet to be recovered and the money is also to be recovered from the accused. Investigation is in progress and if the accused is released on bail, he would severely prejudice the investigation and he may tamper with evidence. Hence, he strongly objected to grant bail to the petitioner.

7. The learned counsel for the intervenor in CrI.M.P(MD)No.10209 of 2025 submits that the deceased was a friend of the intervenor. In the month of November 2024, the deceased introduced him to the petitioner, who is an agent, who arranges jobs overseas. The intervenor has sent Rs.2,75,000/- through online transaction to the deceased and the deceased paid the amount to the accused. On 28.11.2024, the intervenor's brother gave Rs.3,00,000/- to the accused for getting visa. In the 2nd week of December 2024, the accused received Rs.4,85,000/-, stating that the visa had



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been ready and would be received within one or two days, but later said that his visa was cancelled. The petitioner informed the intervenor that the job has been arranged and sent him the flight ticket, but no further document was sent by the accused. When the intervenor asked the deceased about the issue, he told the intervenor that the petitioner had cheated him by not arranging jobs. On 06.07.2025, the accused assured the intervenor that he would arrange job within a few days or he would return the money. On 10.07.2025, the deceased committed suicide by hanging. Before committing suicide, the deceased had sent a video to his friends. The petitioner went to the deceased's house and took the mobile and deleted the video. The mobile phone is yet to be recovered and the investigation is pending. Hence, he strongly objected to grant bail to the petitioner.

8. Taking into consideration of the facts and circumstances of the case and the gravity of the offence and also the manner of occurrence allegedly committed by the petitioner and taking note of the fact that the petitioner had allegedly took the mobile phone and deleted the material evidence and the petitioner was arrested only on 11.07.2025 and considering the short period of incarceration and that if the petitioner is released on bail he may tamper and hamper with the investigation, this Court is not inclined to grant bail to the petitioner at this stage.



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9. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

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01/08/2025

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

vsd
TO

- 1 The Inspector of Police, Aranthangi Police Station, Pudukottai District.
- 2 The Officer Incharge, District Jail, Pudukkottai.
- 3 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.12589 of 2025
Date :01/08/2025

NBF/SAR- /26/08/2025/ 7P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023