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CRL OP No. 29402 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29402 of 2025

Vasantha

Petitioner(s)

Vs

1. Arumugam

2.The State Rep by, The Deputy
Superintendent of Police,
CBCID, Salem, Cr.NO.01/2025.

Respondent(s)

PRAYER This petition is filed under Section 483(2) of BNSS, seeking to cancel the bail granted to 1st respondent in Crl.M.P.No.890/2025 dated 20.09.2025 on the file of Honble Principal Sessions Judge, Namakkal.

For Petitioner(s): Mr.T.Sasikumar

For Respondent(s): Ms.J.R.Archana,
Government Advocate (Crl.side)
For R2
Mr.R.Vivekananthan, for R1

**ORDER**

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This Criminal Original Petition has been filed to cancel the bail granted to the 1st respondent herein in Crl.MP No.890 of 2025 dated 20.09.2025 on the file of the learned Principal Sessions Judge, Namakkal.

2.This is a classic case of Advocates joined together and cheated the clients by making promise that they could secure favourable orders if the clients are inclined to spend huge amounts for resolving their legal issues. It was revealed that the advocates mainly A1 was involved in cheating of his client (deceased Palanisamy) by promising him to get favourable orders. However deceased attempted to relieve himself from the relationship of those advocates which resulted in threatening and filing of false cheque bounce cases against the deceased. Though the deceased has made certain attempts to sustain the opposition and threats made by A1 and A2 in this case, he was unable to continue the same, which drove him to take extreme step to end his life by committing suicide by hanging after executing a suicide note in detail, narrating the various incidents taken place between the clients and the advocates.

3.The case was registered originally by the Namakkal Police in Crime No.80 of 2024 under Section 174 Cr.P.C. Since there was no progress in the investigation, the defacto complainant (wife of the deceased) has approached



this Court by way of Writ Petition No.5023 of 2024 and by order dated 26.02.2025, this Court has directed the change of investigation. Accordingly, the CBCID Namakkal has registered FIR in Crime No.01 of 2025 for the offences under Sections 306, 384, 506(1) & 120B of IPC on 21.03.2025. Thereafter during investigation, the 1st respondent herein was arrested by the 2nd respondent. On 15.09.2025, he filed a bail petition in Crl MP No.890 of 2025 before the learned Principal Sessions Judge, Namakkal and he was granted bail on 20.09.2025.

4.Since the bail has been granted by the learned Sessions Judge within a period of five days, the defacto complainant, wife of the deceased has come with the present petition seeking cancellation of bail granted to the 1st respondent herein.

5.The learned counsel for the petitioner submitted that the allegations are very grave in nature. An innocent client has been forced to end life since he has been threatened by way of various methods by the practicing advocates. He pointed out that though in the order, the submissions and strong objections were recorded by the learned Sessions Judge, without considering the objections, he granted the bail on the ground that the 1st respondent is in custody and later he was also taken police custody and interrogation was also over. It is also observed that further incarceration of the 1st respondent is not necessary. He



further submitted that granting bail to the 1st respondent resulted in hampering the investigation since the major allegation in this case is the misusing and filing of false complaints and also non returning of the various documents to the defacto complainants including title deeds for purchasing the property dated 25.11.2015 which was in possession of the accused. The learned counsel further submitted that A1 in this case is the master mind that he has not even been taken into custody and he is now the President of the Bar Association that being the situation and taking advantage of the office, the learned Sessions Judge was forced to grant bail to the 1st respondent who is the Junior to the 1st accused/Aiyaavu. Hence, prays to cancel the bail granted to the 1st respondent and allow this petition.

6.The learned counsel for the 1st respondent submitted that there is no specific overtact attributed against the 1st respondent in this case who is alleged to have been assisted the A1 in this case. Further, the 1st respondent was arrested and after taking note of the police custody, the learned Sessions Judge recorded that further incarceration is not necessary. It is not the order passed on the basis of pressure on the Judge and the allegation itself is improper. He further submitted that now the investigation is also concluded and the occurrence had taken place as early as on 31.01.2024 and cancelling the bail of the 1st respondent would not serve any purpose and prays to dismiss the cancellation of bail application.



7.The learned Government Advocate (Crl.Side) for the 2nd respondent reported that the 2nd respondent has conducted the investigation and filed the final report on 18.11.2025 and the same is not taken on file by the learned Chief Judicial Magistrate, Namakkal who is having jurisdiction for the cases investigated by the CBCID, Namakkal. She further submitted that as regards accused No.1 is concerned, absconding charge sheet is filed and she has also produced the copy of the final report filed before the concerned Court.

8.I have also gone through the order passed by the Sessions Judge as well as the final report filed in this case. In the final report, it has been specifically stated that some of the documents have not been recovered by the CBCID. However, it is has been stated that those documents have not been produced before the police in spite of the efforts made by them. Hence, there is a disappearance of evidence caused by A1 in this case. Similarly, it is also stated that the 1st respondent has played a vital role in fabrication or records and filing the cheque bounce cases against the deceased in this case. Similarly, the petitioner/A2 who has filed the cheque bounce case against the deceased Palanisamy, has also got back the cheque in order to screen the offence and committed disappearance of evidence since the above cheque bounce case is the root cause for the inducement of committing suicide of the deceased herein. Though, I am of the view that the respondent No.2 is not able to recover those



documents from either A1 and A2 for the reasons best known to them, they have chosen to file the final report before the jurisdictional Court. As stated in the earlier paragraph, the occurrence had taken place on 31.01.2024 and almost two years have been concluded and the 1st respondent was arrested and released on bail in the month of September 2024, I am of the view that the further cancellation of bail would not serve any purpose. Since the investigation is concluded and charge sheet has been filed, the cancellation of bail need not be ordered. However, the manner in which the occurrence and other things had taken place and as it is alleged by the defacto complainant that the A1 and A2 still exercising their influence before the trial Court and it is also stated that the accused No.1 is a president of the Bar Association, such a situation would likely to be cause inconvenience to both parties in conducting the trial in the very same Court. Hence, the 2nd respondent and the petitioner are directed to move the appropriate forum for transferring the case from Namakkal to any other District by way of approaching the appropriate judicial forum as early as possible.

9. With the above observation, this Criminal Original Petition is closed.

gbi

05-01-2026



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To

1.Arumugam

S/o.Ramasamy, Khadhi Board Colony,
Mullai Nagar, Chinnamuthaipatty,
Namakkal-637 001.

2.The State Rep by, The Deputy
Superintendent of Police,
CBCID, Salem, Cr.NO.01/2025.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
gbi

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