

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, CHENNAI

**Present: Thiru.S.Karthikeyan, M.A., M.L., M.Sc., P.G.D.C.F.Sc., P.G.D.D.F.,
Principal Sessions Judge.**

Tuesday, the 28th day of April, 2026

Crl.M.P.No. 11/2025

in

SC.No. 425/2024

in

Crime No.293/2024

Siva

.. Petitioner/Accused-21

Vs.

The State of Tamilnadu
Rep by the Assistant Commissioner of Police,
Koyambedu Range,
Chennai.

.. Respondent /complainant

This petition is coming on this day before this court for hearing in the presence of M/s.C.Vijay, V.Sukumar, M.Riyasudeen, R.Madurai Veeran, D.Christopher, S.Dinesh Kumar, the Counsel for the petitioner and of the Senior Special Public Prosecutor for respondent police and upon hearing both sides, this Court delivered the following,

ORDER

The petitioner/A21 has come up with present application seeking for discharge.

2. The petitioner, in his petition, submitted as below:

2.1 The petitioner has been arraigned as Accused -21 in this case and as such he is well acquainted with the facts and circumstances of this case. The petitioner submits that he is practising as an Advocate before the Hon'ble High Court of

Madras and in various other lower courts within Chennai District. The respondent police have filed a Final Report in this case for the alleged offences u/s 61(2)(a) r/w Ss.103(1), 191(3), 351(3), 109, 238 r/w Ss.190, 49 BNS, 4(b) r/w Ss.5,6 of the Explosive Substances Act, 1908 & Section 3 r/w S.25(1)(B)(a) of Arms Act, 1959. The Final Report was served upon the petitioner/Accused-21 on 14.11.2024.

2.2 The charges levelled against the petitioner/Accused-21 fall under sections 49 and 103(1) of the BNS. As per the prosecution, the Petitioner/Accused-21 was entrusted with a sum of Rs. 9,50,000/- by A-18, one Krishna Kumar @ Mottai Krishna along with 2 knives for murdering the deceased on 15th of April 2024 at around 2.30 pm at the High Court Car Parking and instructed the petitioner to handover the said money and weapons to the person whom A-18 says. The Petitioner/Accused herein kept the money and the weapons in his custody knowing well that they were about to murder the deceased and thereby abetted the murder. During the search conducted by the respondent police, cash and weapons were seized from the house of the petitioner herein.

2.3 According to the prosecution, he was arrested by the respondent police at around 22.00 hrs on 24.07.2024 and the money was recovered on the same day. The entire episode has been fabricated. The petitioner was arrested at around 8.15 am itself and was held in illegal custody by the respondent police. The footage of the illegal detention is also produced for the perusal of this Court. L.W. 28 has contended in her statement that information regarding the murder of the deceased

was conveyed to F-4 Thousand Lights Police Station at around 7.45 pm on 05.07.2024. However, the FIR was registered by the respondent police only at 11.30 pm. It is also pertinent to point out that L.W. 1, de facto complainant was also hospitalized immediately after the said murder since he allegedly suffered injuries and information was passed by the Hospital Authorities to the respondent police at around 8.00 pm. In spite of the aforesaid Information, the respondent police waited for about 4 hours to register an FIR in the aforesaid Crime Number for reasons best known to them.

2.4 The petitioner/Accused-21 is in no way connected with the crime. The petitioner was acquainted with A- 18, Krishna Kumar @ Mottai Krishna since he was also an Advocate who was referring cases to the petitioner herein. The said A-18 was allegedly acquainted with A-2 one Sambo Senthil. Rs. 9,36,000/- was allegedly recovered from the residence of the petitioner herein and his sister who had pledged gold jewels at the Indian bank, Ulundurpet Branch for the treatment of their mother who has been diagnosed with Cancer in June 2023 itself and is undergoing treatment for the same. Since her mother did not have a Ration Card, Treatment was denied for her by the Omandurar Government Multi-Speciality Hospital stating that the petitioner's mother did not have a valid Family Card and therefore, could not avail of the benefits of the Government Health Scheme.

2.5 The petitioner with no other alternative left approached a private hospital to provide chemotherapy to his mother at a whopping cost of Rs. 50,000/- per session

which included medical tests and other procedures. It was also informed that the petitioner's mother had to undergo this ordeal at least 25 times. Since the petitioner's family could not afford such a costly treatment, the petitioner was constrained to approach the Hon'ble High Court of Madras seeking redressal of his mother's grievances vide W.P. No. 22684/2023 and the Hon'ble Justice Seshasayee on 02.08.2023 directed the respondents to issue the Family Card and enabled the petitioner's mother to avail treatment at the Government Multi Speciality Hospital, Mount Road, Chennai.

2.6 After a year of treatment, it was informed by the doctors of the Omandurar Government Hospital that in spite of the treatment the petitioner's mother's health had deteriorated and her breast was removed through surgery in February 2024. Even after such a procedure, the cancer started to spread and the doctors informed the petitioner and his family members in June 2024 that the petitioner's mother could be given palliative care and her life span could be elongated as much as possible. The petitioner and his family members arranged for cash expecting any contingencies and they pledged their jewels and arranged cash for the same.

2.7 The money allegedly seized from the petitioner herein is the money kept at the petitioner's residence meeting emergency expenses and petitioner/Accused-21 has having proper source for the funds and the same is annexed along with this petition. Only to mislead the case the police have fabricated such a false and concocted story and it is pertinent to point out that the aforesaid A-18, Krishna has

not been arrested and remanded to judicial custody to date. There is no money trail to connect the murder of the deceased to the petitioner herein.

2.8 The respondent police have filed the Call Detail Records of both A-18 and the petitioner herein for 15.04.2024 when A-18 allegedly handed over the cash and weapons to the petitioner herein and in the said CDR, it is mentioned that at the said time, A-18 was at Kodungaiyur and the petitioner herein was at the Madras High Court.

2.9 The entries pertaining to other articles which included old damaged mobile phones and laptops are also mentioned in the Seizure sent to the Learned Metropolitan Magistrate. It is also pertinent to point out that the said documents were submitted by the prosecution after 33 days from the date of preparing the document. According to the prosecution, the petitioner was allegedly entrusted with 2 knives and money to help the Accused persons in this case to commit the murder. However, the police recovered the alleged money and arms from the petitioner herein after the lapse of around 20 days and the prosecution has alleged that the said money and weapons were allegedly handed over to the petitioner herein by the A-18 for murdering the deceased.

2.10 This case has not been properly investigated and the Accused/petitioner has been implicated based upon prejudice and bias. The case has not been investigated properly. The petitioner is a practicing advocate and does not have any antecedents.

The petitioner hails from a respectable family and does not have any necessity to commit such a heinous crime. The entire prosecution is based upon bias and prejudice, the prosecution has not attributed any mala fide motive to kill the deceased. There is no prima facie evidence as against the petitioner/Accused-21. The petitioner is having proper source of funds for the amount seized from his residence and does not have anything to do with the murder. The call details records (CDR) produced by the prosecution' does not corroborate with the version of the prosecution. It is therefore prayed to discharge the Petitioner/Accused-21 from S.C No. 425/2024.

3. The respondent, in its counter, contended as below.

3.1 The petitioner is arrayed as A-21 in the SC.No. 425/2024. There are numerous transactions and activities took place culminating in the crime of the murder of deceased Armstrong, The case of the prosecution, broadly is that The Petitioner/A-21 is a close associate of Krishnakumar alias Mottai Krishna (A18) and that Krishnakumar alias Mottai Krishna (A18) had told the Petitioner/A-21 that A-2 Senthil kumaran @ Sampava Senthil had made a plan to murder Armstrong. Further, Krishnakumar alias Mottai Krishna (A18) had handed over Rs.9.50 lakhs and 2 knives which he had kept in his Mahendra XUV 700 Car bearing number TN-03-AS-0009 (L.D. No:313) on 15.04.2024 at 14:30 hrs near the Madras High Court for being used in the murder of Mr.Armstrong and the Petitioner/A-21 had received the same and took it to his house and kept the same concealed.

3.2 Further, after the murder of Mr.Amstrong, in order to escape from arrest the Petitioner/A-21 had gone Krishnakumar alias Mottai Krishna (A-18) from 12.07.2024 to 14.07.2024 in a car to Tiruchendur, Madurai, Coimbatore etc and during the same Krishnakumar alias Mottai Krishna (A-18) had been in conversation with Sambava Senthil (A2) on his cellphone on telegram platform and on 15.07.2024 Krishnakumar alias Mottai Krishna (A-18) had gone from Coimbatore to Delhi in a flight with the intention of escaping abroad and the Petitioner/A-21 had accompanied Krishnakumar alias Mottai Krishna (A-18) to Delhi and helped him to escape and on 16.07.2024 the Petitioner/A-21 and witness ChandraSekar returned from Delhi to Coimbatore and had further taken the car of Krishnakumar alias Mottai Krishna (A-18) along with witness Chandrasekar to Tiruvottriyur and kept the same hidden.

3.3 The involvement of the Petitioner/A-21 in the offence was disclosed when the CDR of Krishnakumar alias Mottai Krishna (A-18) cellphone number 8100322222 examined and when the amount of Rs.9.36 lakhs and 2 knives were recovered on 24.7.2024 from the house of the Accused. Petitioner/A-21 was given a notice under section 179 & 94 BNSS and examined and during the same he was arrested. The Petitioner/A-21 has given a confession which has led to discovery of facts and disclosure of his guilt. The same has been filed as (L.D. No:260). The recovery of the cash, Knives and Phone from the house search of Petitioner/A-21 is evidenced by ([L.D.No: 332 Mahazar](#)). The CDR of the petitioner/ A-21's Cellphone is produced as (L.D. No: 581,594, 596). The statement given by one advocate Chandrasekar (LW 121) which has been produced as (L.D.No.128) and his CDR which has been

produced as (L.D. No.595) provide materials to show the involvement of the Petitioner/A-21 in the offence. The CDR of the Petitioner/A-21's cellphone number 9884928945 has been produced as (L.D. No.644). The flight tickets used by the Petitioner/A-21, A-18 Mottai Krishna @ Krishna Kumar and Witness Chandrasekar and the hotel receipts in Madurai have been produced as (L.D. No. 719 and 720) respectively.

3.4 There are enough materials available on record before this court. There is sufficient ground for proceeding against the Petitioner/A-21. The Petitioner/A21 has clearly entered into a criminal conspiracy with the other Accused and pursued the common object to do an illegal act of murdering the deceased Mr.Armstrong. He has been a party to the criminal conspiracy to commit the murder of the deceased Armstrong. He has aided and induced the other Accused to proceed with the murder of Mr.Armstrong. There is sufficient material to proceed against the Petitioner/A21 for offences under section 103(1) r/w 49 BNS and it cannot be said or contented that there is no sufficient ground for proceeding against Petitioner/A21 and discharge him from the above case. The Accused in this case have conspired and murdered the deceased Amstrong who was a popular political leader in the state of Tamil Nadu. Hence, it is prayed to dismiss the application for discharge filed by the Petitioner.

4. Both side heard. Petition, Affidavit and counter are perused. The prosecution materials are perused.

5. Point for determination is

Are there materials available as against the petitioner/A21 to frame charges against him or not?

6. ANSWER:

6.1 The learned counsel for the petitioner submitted that the allegations against the petitioner/Accused-21 fall under sections 49 and 103(1) of the BNS. As per the prosecution, the Petitioner/Accused-21 was entrusted with a sum of Rs. 9,50,000/- by A-18, one Krishna Kumar @ Mottai Krishna along with 2 knives for murdering the deceased on 15th of April 2024 at around 2.30 pm at the High Court Car Parking and instructed the petitioner to handover the said money and weapons to the person whom A-18 says. During the search conducted by the respondent police, cash and weapons were seized from the house of the petitioner herein.

6.2 The learned counsel for the petitioner further submitted that according to the prosecution, he was arrested by the respondent police at around 22.00 hrs on 24.07.2024 and the money was recovered on the same day. The entire episode has been fabricated. The petitioner was arrested at around 8.15 am itself and was held in illegal custody by the respondent police. The footage of the illegal detention is also produced for the perusal of this Court.

6.3 The learned counsel for the petitioner further submitted that the petitioner/Accused-21 is in no way connected with the crime. The petitioner was

acquainted with A- 18, Krishna Kumar @ Mottai Krishna since he was also an Advocate who was referring cases to the petitioner herein. The said A-18 was allegedly acquainted with A-2 one Sambo Senthil. Rs. 9,36,000/- was allegedly recovered from the residence of the petitioner herein and the money allegedly seized from the petitioner herein is the money kept at the petitioner's residence meeting emergency expenses and petitioner/Accused-21 for the treatment of his mother who has been diagnosed with Cancer in June 2023 itself and is undergoing treatment for the same. The petitioner is having proper source for the funds.

6.4 The learned counsel for the petitioner further submitted that only to mislead the case the police have fabricated such a false and concocted story. There is no money trail to connect the murder of the deceased to the petitioner herein. The respondent police have filed the Call Detail Records of both A-18 and the petitioner herein for 15.04.2024 when A-18 allegedly handed over the cash and weapons to the petitioner herein and in the said CDR, it is mentioned that at the said time, A-18 was at Kodungaiyur and the petitioner herein was at the Madras High Court.

6.5 The learned counsel for the petitioner further submitted that this case has not been properly investigated and the Accused/petitioner has been implicated based upon prejudice and bias. The prosecution has not attributed any mala fide motive to kill the deceased. There is no prima facie evidence as against the petitioner/Accused-21. The petitioner is having proper source of funds for the amount seized from his residence and does not have anything to do with the murder.

The call details records (CDR) produced by the prosecution' does not corroborate with the version of the prosecution. Therefore, the learned counsel for the petitioner prays for discharge from the charges levelled against the petitioner.

7. Per contra, the learned Senior Special Public Prosecutor submitted that the petitioner is arrayed as A-21. The case of the prosecution, broadly is that the Petitioner/A-21 is a close associate of Krishnakumar @ Mottai Krishna (A18) and that (A18) had told the Petitioner/A-21 that A-2 Senthil kumaran @ Sampava Senthil had made a plan to murder Armstrong. Further, (A18) had handed over Rs.9.50 lakhs and 2 knives which he had kept in his Mahendra XUV 700 Car bearing No. TN-03-AS-0009 (L.D. No:313) on 15.04.2024 at 14:30 hrs near the Madras High Court for being used in the murder of Mr.Armstrong and the Petitioner/A-21 had received the same and took it to his house and kept the same concealed.

7.2 Further, the learned Senior Special Public Prosecutor submitted that the involvement of the Petitioner/A-21 in the offence was disclosed when the CDR of Krishnakumar alias Mottai Krishna (A-18) cellphone No. 8100322222 examined and when the amount of Rs.9.36 lakhs and 2 knives were recovered on 24.07.2024 from the house of the Accused. Petitioner/A-21 was given a notice under section 179 & 94 BNSS and examined and during the same he was arrested. The Petitioner/A-21 has given a confession which has led to discovery of facts and disclosure of his guilt. The same has been filed as (L.D. No:260). The recovery of

the cash, Knives and Phone from the house search of Petitioner/A-21 is evidenced by ([L.D.No: 332 Mahazar](#)). The CDR of the petitioner/ A-21's Cellphone is produced as (L.D. No: 581,594, 596). The statement given by one advocate Chandrasekar (LW 121) which has been produced as (L.D.No.128) and his CDR which has been produced as (L.D. No.595) provide materials to show the involvement of the Petitioner/A-21 in the offence. The CDR of the Petitioner/A-21's cellphone No. 9884928945 has been produced as (L.D. No.644). The flight tickets used by the Petitioner/A-21, A-18 Mottai Krishna @ Krishna Kumar and Witness Chandrasekar and the hotel receipts in Madurai have been produced as (L.D. No. 719 and 720) respectively.

7.3 The learned Senior Special Public Prosecutor submitted that there are enough materials available on record before this court. There is sufficient ground for proceeding against the Petitioner/A-21. The Petitioner/A21 has clearly entered into a criminal conspiracy with the other Accused and pursued the common object to do an illegal act of murdering the deceased Mr.Armstrong. He has been a party to the criminal conspiracy to commit the murder of the deceased Armstrong. He has aided and induced the other Accused to proceed with the murder of Mr.Armstrong. There is sufficient material to proceed against the Petitioner/A21 for offences under section 103(1) r/w 49 BNS and it cannot be said or contented that there is no sufficient ground for proceeding against Petitioner/A21 and discharge him from the above case. The Accused in this case have conspired and murdered the deceased

Armstrong who was a popular political leader in the state of Tamil Nadu. Hence, it is prayed to dismiss the application for discharge filed by the Petitioner.

8. This court has given its thoughtful consideration to the rival submissions put forth by either side. On careful perusal of records, it is found that the petitioner is arrayed as A21 and it is the case of the prosecution that the deceased Armstrong is Tamilnadu State President of Bahujan Samaj Party. He was residing at Ayanavaram and was supervising the construction work of his house under construction at Venugopal Swamy Temple Street. A1 Nagendiran is a convict and undergoing punishment at Central Prison, Vellore in connection with murder of one Stanley Shanmugam. A1 and A2 Sambava Senthil got acquaintance and became close. In 2015, North Chennai District Secretary of Bahujan Samaj Party Mr. Thennarasu was murdered. At the instance of the deceased Armstrong, a protest was staged and therefore, the said case was transferred to CBCID in which A1 was also arrested.

9. It is the further case of the prosecution that in 2023, one T.Sekar, a member of Bahujan Samaj Party and also an Advocate was arranging to sell a property situate at Orakadu on behalf of M/s. Harihant Foundation, the 3 rd Accused Aswathaman approached him and threatened him to sell the said 10 acre property to him. But, the said Sekar refused to execute the sale deed. While so, on 22.02.2023, A1 who came to Rela Hospital, Chrompet for treatment, threatened the said Sekar over phone. In this connection, the deceased Armstrong gave instructions to the said Sekar to give complaint and at the instructions of the deceased Armstrong, A3 apologized to the

said Sekar and thereafter, the said complaint was withdrawn. Further, A3 was under the impression that the deceased Armstrong is the reason for his arrest in a case given by one Jeyaprakash at Meenjur that A3 has threatened him demanding Rowdy Mamool. In view of the said criminal cases, A3 did not get ticket to contest in general election. Therefore, A1 and A3 had developed enmity with the deceased Armstrong.

10. It is the further case of the prosecution that in 2005, the mother of A2, Mrs.Rajeshwari has purchased a house at 4th street, A.K. Swami Nagar, Kilpauk. In the said building, a Cable TV operator business was carried on in the name and style of 'Happy Entertainment Network', by the persons close to the deceased Armstrong. They refused to vacate the said premises. In this connection, there were disputes between the persons close to deceased Armstrong and A2. Only after giving a sum of Rs. 12 Lakhs, the persons close to the deceased Armstrong had vacated the premises. Therefore, A2 has developed enmity with the deceased Armstrong.

11. It is the further case of the prosecution that one Arcot Suresh, who is the brother of A5/Ponnaibabu, and one Oтраikan Jeyabalu, who is the friend of deceased Armstrong, were friends. Due to certain enmity, on 18.08.2023, Arcot Suresh was murdered by a persons close to Jayabal. The relatives and friends of Arcod Suresh viz., A5 Ponnaibabu, A4 Arul, A6 Ramu @ vinoth, A8 Thirumalai and A9 Manna @ Manivannan believed that the deceased is behind the murder of their relative and

friend Arcod Suresh. Therefore, A5, with the common intention to commit murder of deceased Armstrong and Jeyabal, conspired with his relatives and friends, A4, A6, A7, A8, A9 and A13. When this conspiracy was shared with A15 Porkodi wife of Arcot Suresh, she has also joined in the said conspiracy and handed over 10 sovereign bracelet belongs to Arcot suresh to A6 as sheet money. A4 has pledged the same and received a sum of Rs. 3.26 lakhs and prceeded with the conspiracy to the cause the murder of deceased Armstrong.

12. It is the further case of the prosecution that having known that, A1 and A3 have prior enmity with deceased Armstrong, on 09.04.2024 A4, A7 and others had met A3, under guise of discussing a land disputes in connection with one Sudhakar and thereafter, A4 had revealed the conspiracy they hatched to cause the murder of the deceased to A3. On 24.04.2024, A1 has come to Rela hospital for treatment. A3 has informed about the conspiracy hatched by A4 and others to cause the murder of deceased Armstrong and sought his approval. A1 has also offered to extend his support to cause the murder of Armstrong as he is the hindrance for their political growth. On 01.05.2024, A3 has informed A4 about their support for the murder of deceased Armstrong.

13. It is the further case of the prosecution that having known the privious enmity A2 had with the deceased, A4 approached A17, Hariharan, who is close to A2 A17 had contacted A2 over telegram app and informed about the conspiracy hatched by A4 and others. A2 had also agreed to join the said conspiracy and offered to extend

his support by providing money and country bombs etc. In furtherance of the said conspiracy, A2 has arranged a sum of Rs.4 Lakhs through his aide A18 Mottakrishnan and handed over to A17. In the end of May 2024 A17 handed over the same to A4 in the presence of A20 Sathiskumar. A4 used the said 4 Lakhs and a sum of Rs. 3.56 Lakhs obtained by pledging the bracelet of Arcot Suresh for executing the said conspiracy.

14. It is the further case of the prosecution that on 15.04.2024 at around 02.30 p.m., A18 has handed over a sum of Rs. 9.50 Lakhs and two knives to A21 Shiva near Madras High Court. A18 informed A21 that the said money and weapon are meant for causing the death of said Armstrong and he has to hand over the same to the person nominated when he was instructed to do so. The said sum of Rs. 9.50 Lakhs and two knives were recovered by the police during investigation.

15. It is the further case of the prosecution that A29, Anjalai, the 2nd wife of Arcot Suresh, had gone to the death of Arcot Suresh, A5, A4 and his associates were talking with each other that they have to do something who is responsible for the murder of Arcot Suresh. At that time, A29, told them to approach her if they need any help in this regard. Further, in December 2023, A4 revealed the conspiracy hatched with other Accused to A29 and in turn A29 induced A4 to cause the murder of Armstrong and thereby abetted the said crime.

16. It is the further case of the prosecution that in 2018, A22 Pudhur Appu got 4 country bombs from one Mylapore Sivakumar and concealed the same in the godown belonged to Moses who is the relative of A26 Rajesh. On 14.06.2024, as per the instructions of A2, out of the said 4 country bombs, 2 Country Bombs were arranged to be handed over to A17 & A18 through A23 to A28 by A22 at the Omanthoorar Government Hospital Parking. Accordingly, on 14.06.2024 A23 to A28 handed over the same to A17 and A18 by keeping the same in a Lunch Bag. A23 to A28 were informed that the said country bombs were required for the purpose of causing death of a big shot. At the end of November 2022, A2 has handed over a gun and 4 bullets to A22 through some unidentifiable persons. In June 2024, A2 contacted A22 over telegram App and asked A22 to handed over the said gun and 4 bullets to the person assigned by him for murdering the deceased and A22 has also agreed to the same. The said gun and 4 bullets were recovered from A22 at Shakthi Depot belong to one Shankar on 24.09.2024.

17. It is the further case of the prosecution that A17 and A18 handed over the said lunch bag with country bomb to A4 in the presence of A20 near Ambedkar Statue situate within the campus of the Madras High Court. A4 and A20 have taken the same to a drug de addiction center by name 'Grace Foundation' where A4 and A14 were hiding themselves. A7 created yet another country bomb and placed the same in the said lunch bag. A17, who used to frequently visit A30 at her house, informed the conspiracy hatched against the deceased to A30 but she has not revealed the said illegal design to the police.

18. It is the further case of the prosecution that in furtherance of the said conspiracy, on the birth day of Arcot Suresh i.e 05.07.2024, at around 07.15 pm, A4 to A13 assembled unlawfully and caused the death of the Armstrong by attacking him- 17 - with knives and caused injuries to two witnesses by name balaji and Nesamoorthy who attempted to prevent the attack on the deceased and thereby attempted to cause their death. Further, they threatened the construction workers who have come to the rescue of the deceased Armstrong.

20. From the above it is clear that as per the case of the prosecution, the Petitioner/A-21 being a close associate of A18 Krishnakumar @ Mottai Krishna received a sum of Rs.9.50 lakhs and 2 knives from A18 which he had kept in his Mahendra XUV 700 Car bearing No. TN-03-AS-0009 (L.D. No:313) on 15.04.2024 at 14:30 hrs near the Madras High Court for being used in the murder of Mr.Armstrong and took it to his house and kept the same concealed. From the submissions of the learned Senior Special Public Prosecutor, it is found that the involvement of the Petitioner/A-21 in the offence came to light when the CDR of A18 Krishnakumar @ Mottai Krishna's cellphone No. 8100322222 was examined and when the amount of Rs.9.36 lakhs and 2 knives were recovered on 24.07.2024 from the house of the Accused. Though the learned counsel for the petitioner submitted that the money recovered from the house of the petitioner is kept by him by pledging the jewels of the petitioner for the purpose of treatment of his mother, the defence materials cannot be looked into at this stage. The said plea of the defence is to be adjudicated only during trial.

21. The prosecution materials reveal that the Petitioner/A-21 had given a confession (L.D. No:260) which has led to discovery of facts and disclosure of his guilt. The recovery of the cash, Knives and Phone from the house search of Petitioner/A-21 is evidenced by ([L.D.No: 332 Mahazar](#)). The CDR of the petitioner/ A-21's Cellphone is produced as (L.D. No: 581,594, 596). The statement given by LW121 Chandrasekar and his CDR (L.D. No.595) provide materials to show the involvement of the Petitioner/A-21 in the offence. The CDR of the Petitioner/A-21's cellphone No. 9884928945 has been produced as (L.D. No.644).

21. Therefore, this court found that there are sufficient materials to available as against the petitioner herein to presume his role in the offence of conspiracy and its execution. It is settled principles of law that in a case of conspiracy, the role of an accused whatsoever nominal he is responsible for the deeds and misdeeds of his co-conspirators also. Hence, this court is of the considered view that this petition should fail. Accordingly, this petition is dismissed.

22. Result:

In the result, this petition is dismissed.

Dictated to the stenographer, transcribed by him, corrected and pronounced by me in the open Court, on this the 28th day of April, 2026.

**Principal Sessions Judge
Chennai**