

Crl.O.P.No.17765 of 2015**R.SUBBIAH, J.**

The petitioner, who was arrested on 12.10.2014 for the alleged offences punishable under Sections 394, 376, 302, 201 r/w 120(b) IPC (altered from Section 394 & 302 IPC) in PRC.No.20 of 2014 (Crime No.515 of 2012) pending on the file of the learned Judicial Magistrate No.II at Ulunthurpet, Villupuram District, seeks the relief of bail.

2.The case of the prosecution, in brief, is as follows:- The complaint was lodged by one Ramakrishnan stating that on 22.06.2012 his wife went to graze the cow in their own land; but she did not return back to home. The defacto-complainant informed the same to his brother-in-law Manikandan. The said Manikandan made a search in their land and the defacto-complainant's was found dead in a well. Hence, on the basis of the complaint given by the defacto-complainant, initially a case under Section 174(1) of Cr.PC was filed in Crime No.515 of 2012. The Inspector of Police took up the investigation and examined the witnesses. The Inspector of Police went to the defacto-complainant's house and conducted inquest over the body of the deceased. While so, on 08.08.2012 the 4th accused Elayaraja surrendered before the Village Administrative Officer and gave a confession statement stating that he along with the petitioner

herein(A1) waylaid the deceased and assaulted her and robbed the jewels from her and thrown her into the well. Thereafter, the accused 1, 2 & 3 were arrested and their confession statements were recorded and in their confession statement, the accused 2 & 3 had stated that they, along with the other accused persons raped the deceased and robbed the jewels and thrown the deceased into the well. On the basis of the confession statements of the accused persons, the case was altered under Sections 394, 376, 302, 201 r/w 120(b) IPC.

3.The learned counsel for the petitioner/A1 submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. The learned counsel for the petitioner would further submit that after completion of the investigation, the Police has filed chargesheet and the same has been taken on file in PRC.No.20 of 2014 on the file of the Judicial Magistrate No.II, Ulundurpet, Villupuram District. Thus, the learned counsel for the petitioner sought for the relief of bail to the petitioner.

4.The learned Government Advocate (Crl.Side), by filing a detailed counter, opposed the grant of bail to the petitioner stating that the petitioner is having bad antecedents and he is involved in

three murders cases also, which are as follows_

So.No.	P.S. & Crime No.	Offences	Stage
1.	Thiruvennainallur P.S. Cr.No.515/2012	U/S.376, 397, 302, 201 IPC r/w 120(b) IPC	P.R.No.20/2014 J.M-II,- Pending Trial
2.	Thirunavalur P.S., Cri.No.620/2012	U/s.302 IPC	Pending Trial
3.	CBCID, Cr.No.2/2014, Villupuram District	U/s 302 IPC	Pending Trial

The learned Government Advocate (Crl.Side) would further submit that if the petitioner is enlarged on bail, he would tamper the evidence. Thus, he sought for dismissal of the bail petition.

5. I have heard the submissions made on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case and taking note of the bad antecedents of the petitioner, I am of the opinion that the petitioner is not entitled for the relief of bail. Further, as contended by the learned Government Advocate, if the petitioner is enlarged on bail, he will tamper the evidence. Hence, I am not inclined to grant bail to the petitioner and the petition is liable to be dismissed.

In fine, the criminal original petition is dismissed.

31.07.2015

SSV

R.SUBBIAH, J.

SSV

Pre-delivery order

in

Crl.O.P.No.17765 of 2015

31.07.2015