

CRL.O.P.No. 26739 of 2016**T.RAJA, J**

The petitioner who was arrested and remanded to judicial custody on 26.09.2016 for an alleged offence punishable under Sections 294(b), 324, 307 and (ii) of IPC in Crime No.369 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the sister of the petitioner. Due to property dispute, the petitioner is said to have assaulted his mother and she sustained grievous injury and subsequently, she died.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any such offence and he has been falsely implicated in this case. He would further submit that the petitioner has already filed the bail petition in Crl.O.P.No.24443 of 2016 and the same was dismissed by this Court on 07.11.2016 and it is the second bail petition. He further submitted that since the petitioner is in custody from 26.09.2016, he may be enlarged on bail.

4. The learned Government Advocate (Crl. Side) vehemently opposed for granting bail to the petitioner on the ground that the petitioner

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has assaulted his own mother with regard to property dispute and as a result, she died on 23.09.2016. He would further 90 days time has not been over and the charge sheet is being ready and the same is going to be filed. He would further submit that interrogation is over and the investigation is pending and that if the petitioner is released on bail, he will tamper the witnesses and hinder investigation.

5. Even though 90 days time has not been over, it is not a matter of right to the petitioner seeking bail before this Court. Since the serious offence said to have committed by the petitioner and the charge sheet is being made ready to file, this court is not inclined to grant anticipatory bail to the petitioner and this Criminal Original Petition is dismissed.

23.12.2016

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