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Crl.O.P.No. 8666 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.09.2021 for the alleged offence under Section 302 I.P.C. in Crime No. 639 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner alleged to have stabbed the deceased Kalimuthu with knife after exchanged heated arguments between them. Hence, the complaint.

3. The learned counsel appearing for petitioner would submit that he is the sole accused and earlier, he was detained under Act 14 of 1982. However, his mother had filed a petition seeking for Writ of Habeas Corpus in H.C.P.No.127 of 2022 before this court and this Court by an order dated 01.07.2022 released him forthwith unless his detention is required in connection with any other case. He would submit that he is in judicial



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custody for more than six months and he is ready to comply with any condition imposed by this court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that there are four previous cases pending against the petitioner and the investigation has been completed and a charge sheet was filed in S.C.No.75 of 2022. He would submit that this is the second petition seeking for bail and if he is released on bail, he will hamper the investigation and tamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel, it would reveals that there are four previous cases pending against him and due to previous motive, he stabbed Kalimuthu with knife, the investigation was completed and the final report was also filed. In the said circumstances, on seeing the gravity of offence, if he is released on bail, he will abscond and drag on the matter, and also



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considering the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to dispose the case in S.C.No.75 of 2022 within a period of six months from the date of receipt of copy of this order.

13.07.2022

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