



Crl.OP.No.20657 of 2022

Crl.O.P.No.20657 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 448, 294(b), 380, 379, 302 IPC r/w Section 3(1) of Prevention of Damage to Public Property Act, 1984, in Crime No.86 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that A1 entered into an agreement of sale with the defacto complainant and his sister, who is the deceased in this case. They agreed for a sale of property for total sale consideration of Rs.82 Lakhs and pursuant to the agreement, an advance of Rs.21 Lakhs was also paid by A1. The further case of the prosecution is that A1 did not coming forward to fulfill his part of the contract and hence the defacto complainant and his sister refused to execute a sale deed in favour of A1. This became a cause of action for a dispute among the parties and the accused persons along with the petitioner herein are said to have entered into the property of the defacto complainant and abused him in filthy language and threatened him and had also caused destruction of property. As a sequel to the same, the sister of the



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defacto complainant is said to have been attacked with iron rod by the accused persons and resulted in her death. There are totally six accused, in which the petitioner herein is arrayed as A6. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that sister of the defacto complainant was attacked with wooden log by the petitioner, which resulted in her death. He further submitted that petitioner along with the accused persons came to the scene of occurrence only with an intention to commit a crime. He would further submit that earlier, four anticipatory bail petitions of the petitioner were dismissed by this Court and this is the fifth petition. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner and the dismissal of the earlier anticipatory bail petitions, this Court finds that



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there is no change of circumstance in considering this petition. Hence, this

Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

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Anu



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