



Crl.O.P.No.23399 of 2022

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M.DHANDAPANI, J

The petitioner, who is arrayed as A5 in Crime No.916 of 2020 on the file of the respondent police and in under incarceration for a long period of time, has come before this Court by filing this petition seeking bail. This is the third bail petition filed by the petitioner. The earlier two petitions for bail were dismissed by this Court vide order dated 27.10.2021 in Crl. O.P. Nos.19071/21. The crime was registered by the respondent police for the offences u/s 302, 380, 450, 120 (B) & 34 IPC and Sections 27 (3), 29 (B) and 30 of the Arms Act. The petitioner was arrested on 13.11.2020 and remanded to judicial custody and since then has been under incarceration.

2. The gist of the prosecution case is that it is a case of triple murder in which 9 persons are involved as accused of which the petitioner is arrayed as A-5. Further case of the prosecution that since the demand for money from the deceased by A-1 and A-2, who are the brothers of A-4, was not met, at the instigation of A-4 to A-6 and with the help of A-9, A-1 to A-6 went to the house of the deceased and gruesomely murdered the husband, father-in-law and mother-in law of A-



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4 by using a revolver, which has led to the registration of the complaint.

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3. Learned counsel appearing for the petitioner submitted that the he is in no way connected with the offence and has been falsely implicated in this case. Further he has accompanied the accused only as a driver without knowing the conspiracy of the other accused persons and further he has not presented in the scene of occurrence and thereby he has been wrongly foisted in this case and hence prays for grant of bail.

4. Learned counsel appearing for the intervenor submitted that in the earlier bail applications, this Court elaborately discussed the petitioner's involvement in the triple murder case and earlier when the co-accused moved bail application, this Court issued direction to the Trial Court to complete the trial in six months and now the trial is in progress and if the petitioner enlarged on bail, it would adversely affect the progress of trial and hence prays for dismissal of this petition.

5. Learned Government Advocate appearing for the respondent



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submits that though the investigation was over and charge sheet has been filed, yet the Court did not release the petitioner considering the gravity and depravity of the offence committed by the accused. There being no change of circumstances pointed out by the petitioner, arises for consideration and hence the petition filed by the petitioner deserves to be dismissed.

6. Considering the gravity of offence committed by the accused persons and as there is no change of circumstances arises for reconsideration of the bail petition, this court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition is dismissed.

27.09.2022

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