



Crl.O.P.No.27222 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 05.10.2022, for the offences punishable under Sections 294(b), 323, 324, 506(ii) IPC r/w 4 of TNPWH Act @ 294(b), 323, 506(ii) & 302 IPC r/w 4 of TNPWH Act, in Crime No.529 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.09.2022, due to money dispute, the petitioner have trespassed into the house of the de-facto complainant and assaulted the mother of the de-facto complainant, resulting in her sustaining injuries, due to which, a case in Crime No.529 of 2022 was registered for the offence under Sections 294(b), 323, 324, 506(ii) IPC r/w 4 of TNPWH Act. Later, without responding to the treatment, the de-facto complainant's mother died on 05.10.2022, then the offence has been altered one under Sections 294(b), 323, 506(ii) & 302 IPC r/w 4 of TNPWH Act. Hence the case.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and a false case has been foisted as against him due to the money dispute. He would further submit that the deceased was already suffering from kidney failure and due to which, she died on 05.10.2022. He would also submit that the petitioner has assaulted the deceased with pipe on her hand and the injury caused to her is simple in nature. He would also submit that the petitioner is in custody from 05.10.2022 and he is ready to abide by any stringent conditions that may be imposed on him and hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that it is the case where the petitioner have assaulted the 83 year old lady due to the money dispute and caused grievous injuries, due to which, she was admitted in the hospital and unfortunately, died on 05.10.2022, without responding to the treatment. He would further submit that the investigation is at initial stage and hence, he oppose for grant of bail to the petitioner.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submission made by the learned Government Advocate (Crl.Side) and taking note of the fact that the petitioner has been arrested very recently on 05.10.2022 and also considering that the investigation is at initial stage, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

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