



Crl.O.P.No.30830 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120B, 302 and 207 of IPC in Crime No.226 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner due to dispute with regard to partition of properties, has given money to Gubendran to kill his brother/deceased, thereby the petitioner and his son one Manju along with the said Gubendran and one Nagappa have killed the deceased by giving poison. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that actually on 08.09.2022, son of the deceased has given a complaint that his father was missing and also mentioned that he has the habit of consuming alcohol. He would also submit that there is a possibility that the deceased might have fallen down in the river due to intoxication and died due to



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drowning. He would further submit that the petitioner has been falsely implicated in this case, since he happened to be the brother of the deceased and there was some dispute between them. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that in the post-mortem certificate, it is stated that Broflanilide and one hundred and ninety three (193.0 mg) of Ethyl alcohol was found in the stomach of the deceased. It is also stated that the cause of death is due to poison, therefore, it requires detailed enquiry. He would further submit that if the petitioner is granted anticipatory bail, there is a possibility of tampering of evidence. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard both sides and perused the materials including the post-mortem certificate and confession statement of co-accused, namely Gubendran and Nagappa.

6.Taking into consideration the facts and circumstances of the case and



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also considering the confession statement of the co-accused and post-mortem certificate and considering the gravity of the offence, this Court feels that if the petitioner is enlarged on anticipatory bail, there cannot be any proper interrogation and there is a possibility of hampering or tampering of the witnesses. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

16.12.2022

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