



Crl.O.P.No. 30888 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.11.2022 for the alleged offence under Sections 147, 148, 294(b), 353, 307, 120(B) and 115 of I.P.C. r/w Sec.25(1)(B) of Indian Arms Act and Section 3 & 5 of Explosive Substances Act in Crime No.846 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.11.2022 at 18.00 hours, when the defacto complainant, who is Sub-Inspector of Police attending his patrol duty, he said to have found the petitioner along with other accused making preparation to murder the opposite party. Further they have scolded the defacto complainant in filthy language and attacked him with billhook and strap knife and bomb, thereby disturbed his official duty and attempted to murder him. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that he has not participated in the said offence and he is permanently residing at Nagapattinam and there is no chance of absconding from the course of justice. He would submit that there is no specific overtact attributed against the petitioner and he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 13.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 15 accused and the petitioner is arrayed as A4. He would submit that when the Sub-Inspector of Police on patrol duty, he found that the petitioners along with others preparing to commit murder of opposite party and they have also scolded him in filthy language and attacked him with billhook and strap knife and bomb and disturbed to discharge his official duty and attempted to commit murder him. He would submit that the petitioner is having 17 previous

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including four cases under Sec.307 I.P.C. and four cases under the NDPS Act. He would also submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is at the preliminary stage. 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 and also considering gravity of offence committed by the petitioner, a detailed investigation is required in this case and also considering the fact that he is having lot of pending criminal cases and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

16.12.2022

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