



CRL.O.P.No.31233 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 under Sections 341, 307, 395 and 302 IPC in Cr.No.247 of 2022, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant one Rohini is that on 03.10.2022 around 10.30 hours, her husband had come back with bleeding injuries and when she had questioned him he had informed that the boys from the camp namely Sanjai, Madurai Selvam, Muhilan, Salumanai and Eli have questioned him that he was drinking in that area and that they have assaulted him with wooden log and robbed a sum of Rs.500/- from him and escaped from the place. Thereafter, he had taken steps to go to the hospital and at that time, the accused have once again waylaid him and repeatedly assaulted him with wooden logs. Due to which, the defacto complainant's husband sustained fatal injuries. Subsequently, the defacto complainant's husband was



admitted in the hospital.

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3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that there is no specific allegation as against the petitioner and all the other allegations are only against A1 and A2. He would further submit that the co-accused has been released on bail. Hence prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner along with the other accused have waylaid the defacto complainant and assaulted him with wooden log. Due to which, he sustained grievous injuries and he was admitted in the hospital. Initially, based on the complaint, the case was registered for the offence under Sections 341, 307, 395 IPC and later the victim succumbed to the injuries on 14.10.2022 and thereafter, the case has been altered into offences under Sections 341, 307, 395 and 302 IPC. He would further submit that the name of the petitioner is mentioned in the F.I.R and that



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A1 and A2 are still in the custody. Further, that the earlier anticipatory bail petition was dismissed by this Court in CrI.O.P.No.26903 of 2022.

Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner and that his name is mentioned in the F.I.R and that the injured has been admitted in the hospital and died on 14.10.2022, whereby the offence attracted against the petitioner has been altered to Sections 341, 307, 395 and 302 IPC, this court is not inclined to grant anticipatory bail to the petitioner and this case requires a detailed investigation.

6. Accordingly, this Criminal Original Petition is dismissed.

20.12.2022

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