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CrI.O.P.No. 30975 of 2022

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 20.10.2022 for the alleged offence under Sections 174 CrI.P.C. and thereafter altered into Sec. 302 I.P.C. in Crime No.166 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased was running a hotel and prior to this occurrence, on 08.10.2022, there was a wordy quarrel between A2 and the deceased. Thereafter, A2 conveyed the same to his friends. So, due to previous incident and wreck vengeance, on the next day, all the accused in an inebriated condition went to the deceased hotel, thereby they have made a wordy quarrel and indiscriminately attacked the deceased on his head, face and all over his body, resulting in which, he sustained grievous injuries and subsequently died. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the deceased normally admitted in hospital and died on 13.10.2022 and till his death, no



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complaint was lodged and there was four days delay in registering F.I.R. He would submit that there is no specific overtact attributed against the petitioners and they have not at all committed any offence as alleged by the respondent police and they are no way connected with the occurrence. He would further submit that the investigation is almost completed and that the petitioners have been suffering incarceration from 20.10.2022. 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 four accused and after the petitioners had a lunch, they refused to pay money, thereby there was a wordy quarrel in the hotel. He would submit that on the date of occurrence, all the accused persons in drunken mood went to deceased hotel and quarrelled with him, due to which, they attacked him, in which he sustained grievous injuries and later he died in hospital after 5 days. He would also submit that if they are released on bail, they would tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.



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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 that there is a wordy quarrel in the hotel and all the accused persons were in drunken mood quarrelled with him and attacked him and later he died and considering the fact that only they were in judicial custody for 15 days, the investigation is not yet completed and also considering the fact that 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.

15.12.2022

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