



Crl.O.P.No. 31132 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 15.11.2022 for the alleged offence under Sections 450, 342, 395 and 397 I.P.C. in Crime No.311 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.11.2022 at about 02.00 p.m., while the defacto complainant was in his house along with his wife, more than 5 persons trespassed into the house and threatened them, thereby committed dacoity of Rs.29,80,000/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner's name not found in the F.I.R. and there is no specific overtact attributed against the petitioner. He would submit that driver of vehicle, who is arrayed as A9 and only on his confession, the petitioner was arrayed as accused in



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WEB COM this case. He would submit that 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 he has been falsely implicated in this case. He would submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 15.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the defacto complainant is aged about 72 years and he is a mill owner. He would submit that he is having money in his house and huge amount and through A9, all the accused entered into the defacto complainant's house and threatened them with dire consequences, thereby committed dacoity by stealing a sum of Rs.10 lakhs and 18 sovereigns and also caused injury to defacto complainant and his wife. He would also submit that if he is released on bail, he 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 by stealing a sum of Rs.29 lakhs and 18 sovereigns of gold and so far, the property was not recovered, and a detailed investigation is required in this case, 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.

16.12.2022

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