



Crl.O.P.No. 31254 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.10.2022 for the alleged offence under Sections 341, 363 and 392 of I.P.C. and subsequently it was altered into Sec. 341, 363, 120(B) and 395 of I.P.C. in Crime No.613 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.10.2022 at about 14.00 hours, the defacto complainant, who was an silver smith, went with his driver and friends to Rajpur and purchased 129.835 kgs. of silver worth about Rs.69,70,852/-. While he was returning in a Bolero car, the petitioner along with other accused said to have waylaid his car Ciaz and pulled the driver and his friend outside of car and kidnapped him and thereafter, dropped him near Coimbatore bypass. Subsequently, they rushed with his Ciaz car, thereby they said to have robbed silver blocks and ran away by leaving the car. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that in fact, this petitioner, who is working as mediator in Kerala, had helped the defacto complainant to purchase silver block and apart from that, he is no way connected with the occurrence and he has not at all committed any offence as alleged by the respondent police. He would further submit that he is resident of Kerala and his car is not involved in this offence and the defacto complainant only came with silver bars in bolero car. He would submit that on the confession of one of the accused, he was implicated as accused in this case. He would submit that he owns only Maruti Swift car. He would submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 25.10.2022. 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 20 accused involved in this case and the petitioner is arrayed as A3. He would submit that a gang of persons involved in the offence and from this petitioner, out of 129 kgs.



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only 8 kgs. of silver was recovered and the recover of silver bar still has to be recovered. He would 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 out of 129 kgs. of silver, from him 8 kgs. of silver only recovered and still more property is to be recovered, 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.

19.12.2022

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