



Crl.O.P.No. 861 of 2023

Crl.O.P.No.861 of 2023

WEB COPY

T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 25.10.2022 for the alleged offences punishable under Sections 341, 363, 392 of IPC @ 120(B), 341, 363, 395 of IPC, in Crime No.613 of 2022 on file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant, who is a silver smith, is that he and along with two others were returning to Salem from Raipur after purchasing worth about Rs.69,70,852/- for his shop. While so, on 16.10.2022, at about 9.30 p.m., the accused, who came in the jeep, said to have waylaid his car and pulled the driver and his friend outside the car and kidnapped him along with the car and dropped him in the mid way and ran away with the 129.835 kilograms of Silver. Hence the case.

3. Learned counsel for the petitioner submitted that this is the second bail application of this petitioner before this Court and this Court had earlier dismissed the bail application filed by the petitioner in



Crl.O.P.No. 861 of 2023

Crl.O.P.No.31254 of 2022 vide order dated 19.12.2022. He further submitted that the petitioner was only a mediator to purchase silver block and apart from that he is no way connected with the alleged incident. He further stated that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is arrayed as A3 and this is his second bail application. He also stated that since the investigation is not yet completed, if the bail is granted to the petitioner, he would tamper the witnesses, therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side)



CrI.O.P.No. 861 of 2023

and taking note of the fact that the investigation is not yet completed and also considering the gravity and nature of the offence committed by the petitioner, this Court finds that this case needs detailed investigation. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

12.01.2023

ham



WEB COPY



Crl.O.P.No. 861 of 2023

T.V.THAMILSELVI,J.

ham

Crl.O.P.No.861 of 2023

12.01.2023