



WEB COPY



Crl.O.P.No. 153 of 2023

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**T.V.THAMILSELVI, J.**

The petitioner, who was arrested and remanded to judicial custody on 12.11.2022 for the alleged offence under Sections 450, 342, 395, r/w 397 of 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. the defacto complainant and his wife were alone in their house, at that time, some of persons knocked his house door, while he opened the door, the petitioner along with other accused said to have threatened them with knife and tied both hands along with chair and closed their mouth, thereby they robbed a sum of Rs.28,00,000/- and 18 sovereigns of gold jewels Hence, the complaint.

3. The learned counsel for the petitioner submitted that there is no specific overtact attributed against the petitioner and he is an innocent



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person and he has not at all committed any offence as alleged by the respondent police. He would submit that he is no way connected with the occurrence and he will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 12.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is the prime accused and he is arrayed as A9. He would submit that he only informed the other accused to commit robbery, thereby he played a main role. He would 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.

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, he is the prime accused to commit robbery and



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played a major role and if he is released on bail, 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.

**05.01.2023**

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