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Crl.O.P.No. 157 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.11.2022 for the alleged offence under Sections 294(b), 353 and 307 of I.P.C. r/w 25(1-B), 27(1) of Indian Arms Act, in Crime No.387 of 2022 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 25.11.2022, the petitioner scolded the defacto complainant in filthy language and restrained him from discharging his official duty and also threatened him with billhook. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that there is no specific overtact against this petitioner and he is an innocent person and he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that



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he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would also submit that the petitioner has been suffering incarceration from 25.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner gave a life threat to the defacto complainant and totally there are 4 previous cases including the case of Sec.307 I.P.C. pending against him. He would also submit that if he is released on bail, he would hamper the investigation and tamper the witnesses and the investigation is not yet completed and it is in preliminary stage. However, he would 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 considering the gravity of offence committed by the petitioner, and also considering the fact that there are four previous cases including cases under Sec.307 of I.P.C. pending against



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him and 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.

19.01.2023

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