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Crl.O.P.No. 437 of 2023

T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 30.08.2022 for the alleged offence under Sections 328, 379 and 34 of I.P.C. in Crime No.109 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 16.08.2022 at 06.00 p.m. when the defacto complainant in order to got to his native place, he went to Tiruppur railway station and he was waiting in the railway station, at that time, the petitioner along with other accused said to have came and offered bourbun biscuit and after consuming biscuit, he was collapsed. Subsequently, on 17.08.2022 at about 05.00 p.m. he recovered from giddiness and realised that his mobile phone and a sum of Rs.2000/- and SBI ATM card and aadhar card, which are all found missing. Hence, the complaint.

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3. The learned counsel for the petitioners submitted that they have not at all committed any offence as alleged by the respondent police and they are no way connected with the offence. He would submit that they have been falsely implicated in this case. He would submit that investigation is almost completed and that the petitioners have been suffering incarceration from 30.08.2022. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that both the petitioners hails from Bihar and they were doing similar offence in several States and they are notorious persons. He would submit that if they are released on bail, they would tamper the witnesses and hamper the investigation. 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 considering the gravity of offence committed by the petitioner, and also considering the fact that if they are released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

10.01.2023

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