



Crl.O.P.No. 593 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 21.10.2021 for the alleged offence under Sections 294(b), 324, 352, 34, 302 of I.P.C. in Crime No.171 of 2010 on the file of the respondent police, pending trial in S.C.No. 54 of 2020, on the file of learned Principal Sessions Court, Villupuram, seeks bail.

2. The case of the prosecution is that on 14.12.2010 at about 09.00 p.m., due to previous enmity, when the defacto complainant and his elder son standing out of their house, both A1 and A2 went there and abused them in filthy language and then assaulted one Peter, thereby, they have attacked his son Peter with stone as well as with iron rod, resulting in which, his son fell down and succumbed to injuries and subsequently, died. Hence, father of deceased lodged the present complaint against the petitioner.



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3. The learned counsel for the petitioner submitted that both A1 and A2 were arrested and on their confession statement, the petitioner was implicated as accused in this case as A3. He would submit that he has no role in the above said offence and he is an innocent person. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the said occurrence. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than a year from 21.10.2021. 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 3 accused involved in this case and A1 granted bail. He would submit that the petitioner is arrayed as A3 and he absconded for 11 years and after securing him only, 10 witnesses were examined and the trial is at the stage of I.O. He would submit that he is having four previous cases including 3 murder cases pending against him. He would submit that the investigation is at a preliminary stage and now, if he is released on bail, he would tamper the witnesses and hamper



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the investigation and the trial would be completed within eight weeks.

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 considering the gravity of offence committed by the petitioner and also the fact that after 11 years, he was secured and he is having 4 previous cases, in which three murder cases, and now if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and so far 10 witnesses were examined and now the trial is at the stage of I.O., this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to complete the trial and dispose the case within a period of eight weeks from the date of receipt of copy of this order.

11.01.2023

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