



WEB COPY



Crl.O.P.No.2332 of 2023

Crl.O.P.No.2332 of 2023

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 01.11.2021 for the alleged offence under Sections 435 of I.P.C. and Sec.4 of TNPPDL Act, 1992 in Crime No.375 of 2018 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 01.09.2018, the defacto complainant had received a phone call from his daughter stating that his sister-in-law's car is burning, thereby they doused the fire. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that the complaint was lodged stating that three unnamed persons and after 10 days of alleged occurrence, the petitioner name was implicated as 4th accused and F.I.R. was lodged. Hence, the entire allegation is false, vindictive, wanton and he is no way connected with the offence. He would submit that he was originally arrested on 13.11.2020 in Crime



Crl.O.P.No.2332 of 2023

WEB COPY

No.835 of 2020 and remanded to judicial custody in the said case. Now, the respondent police arrested the petitioner in this case by showing him as absconding accused and he is in custody for more than 760 days and there is no progress in this case till date. He would also submit that he was granted bail by this court in Crl.O.P.Nos. 32449, 32491, 32507 and 32530 of 2022, by an order dated 28.12.2022. He would submit that he has not at all committed any of offence as alleged by the respondent police and he has been falsely implicated in this case 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 for more than 1 year from 01.11.2021 and this is the second petition seeking for bail. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there are 51 previous cases pending against him, in which 5 murder cases pending against him and he is a notorious person. He would submit that when he has not appeared before the concerned Magistrate, non-bailable warrant also issued against him and some of the cases are posted before the trial court for examination of



Crl.O.P.No.2332 of 2023

WEB COPY

witnesses. He would submit that that if he is released on bail, he would tamper the witnesses and hamper the investigation and the trial would be stalled. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances, and also considering the fact that the investigation almost completed and the fact that there are 51 previous cases pending against him, in which 5 murder cases pending against him and he is a notorious person and also considering the fact that in some of cases, the trial is in progress and the same are pending and now if he is released on bail, there is possibility of tampering the witnesses and hampering investigation, this Court is not inclined to grant bail to the petitioner.

13.02.2023

rpp



WEB COPY



Crl.O.P.No.2332 of 2023

T.V. THAMILSELVI, J.

rpp

Crl.O.P.No. 2332 of 2023

13.02.2023

(3/9)