



Crl.O.P.No. 1764 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 306 I.P.C. in Crime No.496 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's son was running a pesticide shop and the petitioner along with other accused used to purchase pesticide on credit. On 23.11.2022, when he demanded payment, the petitioner along with other accused abused him and threatened with dire consequences. On the following day i.e. on 24.11.2022, the defacto complainant's son unable to bear the mental pressure and stress, he subjected to administer poison to his wife and two kids without their knowledge and fled to Annapennpettai village, where he died by hanging himself from a tree. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that he is President of local panchayat and the defacto complainant has spoiled his reputation. He would submit that this is the third petition seeking for bail and co-accused was granted bail by this court on condition to deposit a sum of Rs.1 lakh. He would submit that he is suffering from heart ailment and he was admitted in the hospital. He would submit that brother-in-law of deceased lodged another complaint in Crime No.383 of 2023, in which there is no specific overtact against this petitioner, however, the prosecution is taking a different stand. He would further submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the offence. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than 62 days 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 totally, eight accused involved in this case



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and this petitioner is arrayed as A1 and this is the third petition seeking for bail. He would submit that the relationship between the petitioner and the deceased is buyer and seller on credit basis. He would submit that as the deceased signed as a guarantor for obtaining loan, the bank authorities are pressurising him, but the petitioner failed to pay the amount, for that his property was taken as security, due to which the deceased administered poison to his family and he committed suicide by hanging, in which one child and husband died and wife along with another child discharged from hospital. On the date of occurrence, the deceased demanded money from the petitioner, who in turn, refused to make payment, thereby he is the main person as per the suicidal note of deceased. He would also submit that if he is released on bail, he will 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. Admittedly, the deceased signed as a guarantor for obtaining the loan and the bank authorities are pressurising him to repay the loan, but the petitioner failed to pay the amount and refused to make payment, for that



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his property was taken as security, due to which the deceased administered poison to his family, in which one child and husband died and wife along with another child discharged from hospital, thereby he is the main person as per the suicidal note of deceased. 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 he is the prime accused for the occurrence of entire family consuming poison and husband committed suicide, in which one child and husband Ganesh died, now his wife and another child are discharged from hospital and the fact that there is possibility of tampering the witnesses and hampering the investigation and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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