



Crl.O.P.No.913 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who was arrested and remanded to judicial custody on 10.11.2022 for the alleged offences punishable under Sections 341, 363, 392 of IPC @ 120(B), 341, 363, 392 of IPC, in Crime No.613 of 2022 on file of the respondent police, seek bail.

2. The case of the prosecution as per the de-facto complainant, who is a silver smith, is that he and along with two others were returning to Salem from Raipur after purchasing worth about Rs.69,70,852/- for his shop. While so, on 16.10.2022, at about 9.30 p.m., the accused, who came in the jeep, said to have waylaid his car and pulled the driver and his friend outside the car and kidnapped him along with the car and dropped him in the mid way and ran away with the 129.835 kilograms of Silver. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been implicated in this case only based on the



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confession statement recorded from the other accused and also stated that even as per the prosecution, there is no specific overt act as against the petitioner. He further stated that the petitioner is in custody from 10.11.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with the others have committed theft of 129.835 kilograms of Silver from the de-facto complainant. He further submitted that the petitioner is arrayed as A8 in this case. He also stated that since the investigation is not yet completed, if the bail is granted to the petitioner, he would tamper the witnesses, therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side) and also considering the gravity and nature of the offence committed by the petitioner, this Court finds that this case needs detailed investigation. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

12.01.2023

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