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Crl.O.P.No. 1315 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 294(b), 324, 435 and 506(ii) of I.P.C. r/w 3 and 4 of TNPPDL Act in Crime No.755 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner and defacto complainant's grandson are friends and on 23.11.2022 at about 04.30 p.m., the petitioner along with other accused went to her house and abused her grandson in filthy language, when the same was questioned by her husband, they assaulted him, thereby he sustained injuries and they have also damaged the two wheeler and set fire on the vehicle. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he is an innocent person and there is no specific overtact against the petitioner. He would submit that he has not at all committed any offence as alleged by the



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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 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 the petitioner along with other accused went to defacto complainant's house and abused her grandson in filthy language, and it was questioned by her husband, however, they assaulted him, thereby he sustained injuries and they have also damaged the two wheeler and set fire on the vehicle. 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. 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 the fact that if he is released on bail, there



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is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

24.01.2023

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