



CrI.O.P.No. 1473 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 05.12.2022 for the alleged offence under Sections 294(b), 353, 506(ii), 307 of I.P.C. r/w 3(1) of TNPPDL Act in Crime No.789 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 0.12.2022 when the defacto complainant driving a bus and proceeding from Kanchipuram to Kannanthangal and he stopped the bus at Poogadaichathiram, since the car came in a opposite direction, the petitioner along with other accused scolded came in a bike overtaking the bus, thereby scolded him in filthy language and tried to assault him with knife on his right hand and also damaged the front glass of Government bus and from them two knives and bike were seized. Hence, the complaint.



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3. The learned counsel for the petitioner submitted 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 from 05.12.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that totally, 3 accused involved in this case and 6 previous cases pending against him. He would submit that and the petitioner under Sec.110 of Cr.P.C., he has given undertaking that he will not commit any offence, but he has involved in another offence within that period and he is an history sheeter. 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.



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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 considering the fact that he is having six previous and he is an history sheeter and the petitioner under Sec.110 of Cr.P.C., even though he has given undertaking that he will not commit any offence for a period of one year, but he has involved in another offence within that period, and the fact that if he is released on bail there 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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