



Crl.O.P.No. 1752 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 08.12.2022 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 brother of A2 and 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 49 days from 08.12.2022. 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 and this petitioner is arrayed as A3. He would submit that the relationship between the petitioner and the deceased is buyer and seller on credit basis. He would submit that when the deceased demanded payment, the petitioner along with other accused abused him and threatened with dire consequences, 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. He would also submit that if he is released on bail, he will tamper the witnesses and



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hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Admittedly, on the date of alleged occurrence, the deceased demanded payment, the petitioner along with A1 abused him and threatened him with dire consequences, 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. 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 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.

27.01.2023

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