



Crl.O.P.No. 1937 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 01.05.2022 for the alleged offence under Section 174 Cr.P.C. @ under Sec.302 of I.P.C. and subsequently, the charge sheet filed in FR. No. 317 of 2022, dated 01.08.2022 in Crime No.339 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased and the petitioner were in living together relationship and both belong to Uttar Pradesh. While being so, in the month of January 2022, they became tenant in the house of defacto complainant, wherein he came to know that there was frequent quarrel between them and he used to lock the door outside when he went to job. However, on 01.05.2022, another person came to the house and both the petitioner and the said person took the deceased to a hospital stating she was seriously ill, wherein she was declared dead. Hence, the complaint.

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3. The learned counsel for the petitioner submitted that when he was intoxicated with alcohol, due to sudden provocation he beaten his wife and he has no motive to kill her. He would submit that he is an innocent person and he has not at all committed any offence as alleged by the respondent police and he is no way connected with the said offence. He would submit that there is no role of the petitioner in the alleged offence and he has been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 01.05.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is the sole accused. He would submit that both the petitioner and the deceased belong to Uttar Pradesh and both are not married each other, only on his compulsion, she was living with him and also there was a frequent quarrel between them. He would further submit that on the date of occurrence, suspecting her character, he assaulted her by hitting her on the ground, thereby, she succumbed to death.



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He would submit that investigation is completed and the charge sheet was filed and the trial is pending in S.C.No.115 of 2022. 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 by suspecting deceased character, he assaulted her, thereby she succumbed to injuries and also the fact that investigation is completed, charge sheet filed and the trial is to be commenced in S.C.No.115 of 2022 and now, 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.

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