



Crl.O.P.No. 2140 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 01.12.2022 for the alleged offence under Sections 392, r/w 397 and subsequently it was altered into Sec.341, 347, 368, 392 r/w 397 of I.P.C. in Crime No.420 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is running a textile business and petitioners along with other accused carefully noted down the movements of defacto complainant and hatched a plan to rob from him. Accordingly, on 19.08.2022 when the defacto complainant was returning to his house by night 09.40 p.m., nearby Mettukadai to Aruvangadu Road, the petitioners along with other accused waylaid the defacto complainant and restrained him and took him in a car by forcefully. Thereafter, two other accused went in his bike to his home, however, they threatened his wife to give jewels to the said other two accused and subsequently, they took valuable jewels worth about



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Rs.1,87,500/- and returned the bike to him and they have also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that there is no specific overtact attributed against the petitioners and they are innocent persons and they have not at all committed any offence as alleged by the respondent police. He would submit that when the occurrence was taken place on 19.08.2022, the complaint was lodged only on 01.12.2022 and subsequently, they were arrested. He would submit that they are no way connected with the occurrence and they will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioners have been suffering incarceration from 01.12.2022. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally there are 5 accused involved in this case and they are arrayed as A1 to A3. He would submit that two of the



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accused are still absconding and the property was not so far recovered. He would submit that if they are released on bail, they would tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner, and two more accused are still absconding and so far, property was not recovered and moreover, if they are released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

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