



CrI.O.P.No. 2558 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 02.01.2023 for the alleged offence under Sections 279, 304(ii) of I.P.C. in Crime No.05 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that while the paternal uncle of defacto complainant picking up his grandson in a two wheeler from the school, who is studying, on 02.01.2023, around 05.00 p.m. the petitioner, in a drunken mood, driven the tanker lorry and hit against their vehicle on the backside, thereby paternal uncle of defacto complainant and his grandson sustained serious injuries and died on the spot. Hence, the complaint was registered against the petitioner.

3. The learned counsel for the petitioner submitted that there is no specific overtact attributed against the petitioner and he is an innocent



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person and he has not at all committed any offence as alleged by the respondent police. He would submit that he is no way connected with the occurrence and he 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 petitioner has been suffering incarceration from 02.01.2023. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that while defacto complainant's paternal uncle and his grandson came in a two wheeler from the school, the petitioner, in a drunken mood, driven his tanker lorry and hit against them, thereby they sustained serious injuries and died on the spot. He would submit that if he is released on bail, he would 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 also considering gravity of offence



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committed by the petitioner, while he was in drunken mood, he drove his tanker lorry and hit against the defacto complainant's paternal uncle and his grandson, thereby, they sustained serious injuries and died on the spot and investigation is not yet completed and 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.

06.02.2023

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