



Crl.O.P.No. 2680 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 13.12.2022 for the alleged offence under Sections 147, 148, 341, 302 of I.P.C. r/w Sec.109 of I.P.C. in Crime No.194 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant's husband is having agricultural land at Nanneri, in which, there was a civil dispute between petitioners' brothers and defacto complainant's husband. While being so, on 09.01.2022 when the deceased was ploughing in his tractor, A1 to A5 alleged to have scolded him and assaulted him and subsequently, on 12.12.2022 at about 09.00 a.m., when her husband coming in a bike, A1 to A3 waylaid her husband and hit the bike and also stabbed him with knife, in which, her husband succumbed to injuries. Hence, the complaint.



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3. The learned counsel for the petitioners submitted that there is no specific overtact attributed against the petitioners and only being brother of co-accused, they have been roped into the case. He would submit that they are innocent persons and they have not at all committed any offence as alleged by the respondent police. He would submit that they have been falsely implicated by the respondent police and 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 13.12.2022. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioners are arrayed as A2 and A3. He would submit that due to a land dispute, due to previous enmity, the petitioners along with other accused scolded husband of defacto complainant and also stabbed him with knife, due to which, her husband succumbed to injuries. 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



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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 petitioners, due to a land dispute, they have scolded husband of defacto complainant and also stabbed him, thereby the alleged occurrence happened and also considering the fact that 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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