



CrI.O.P.No. 2667 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.11.2022 for the alleged offence under Section 302 of I.P.C. in Crime No.291 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity and earlier, there was a wordy quarrel between them, thereby a complaint was lodged by defacto complainant's husband. Due to which, on 25.11.2022 around 09.30 a.m. the petitioner along with other accused threatened the defacto complainant's husband to withdraw the complaint, but he refused to do it, resulting in which, he was taken to a remove place and he was attacked by them with lethal weapon, thereby he succumbed to injuries. 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 25.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that totally, there are 3 accused involved in this case and the petitioner is arrayed as A1. He would submit that earlier, there was a wordy quarrel between them and a complaint was lodged by defacto complainant's husband. Due to which, the petitioner along with other accused threatened the defacto complainant's husband to withdraw the complaint, but he refused to do it, thereafter, he was taken to a remote place and attacked him with lethal weapon, thereby he succumbed to injuries. He would submit that there are 24 previous cases pending against him and he is the prime accused in committing the offence. He would submit that if he is released on bail, he would tamper the witnesses and hamper the



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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 committed by the petitioner, due to previous enmity, he and other accused attacked the husband of defacto complainant, who has refused to withdraw the earlier complaint lodged by him, thereby he succumbed to injuries and he is the prime accused in committing the offence and also the fact that there are 24 previous cases pending against him 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.

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