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CrI.O.P.No. 3043 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 02.11.2022 for the alleged offence under Section 147, 148, 341, 294(b), 323, 392, 397, 336, 427, 506(2) of I.P.C., read with Section 25 (1-A) of Arms Act, 1959 in Crime No.432 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other four accused said to have waylaid the defacto complainant and demanded mamool at knife point. On his refusal, they forcibly taken away cash of Rs.3500/- and a cell phone from his pocket. When he raised alarm, they attempted to attack him using patta kathi, fortunately, he had a narrow escape. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has not at all committed any offence as alleged by the respondent police and he is no



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way connected with the offence. He would further submit that he has been falsely implicated in this case and he will abide by any condition that may be imposed by this Court. He would submit that the investigation is almost completed and the petitioner has been suffering incarceration from 02.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that the petitioner is a habitual offender against whom 11 previous cases including three cases for the offences under Section 302 IPC are pending. He also submitted that this is the third bail application of this petitioner and also stated that since the investigation is not yet completed, if the bail is granted to the petitioner, he would tamper the witnesses. 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 fact that there are 11 previous cases pending against the petitioner and the investigation is in preliminary stage and also considering the gravity of offence committed by



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the petitioner and also considering the fact that 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.

09.02.2023

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