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Crl.O.P.No. 2762 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 17.01.2023 for the alleged offence under Sections 147, 148, 294(b), 323, 324, 506(ii) and 302 of I.P.C. in Crime No.4 of 2023 on the file of the respondent police, seeks bail.

2. The cause of prosecution is that the defacto complainant is son of deceased and on 17.01.2023, the defacto complainant's villagers celebrated pongal festival, at that time, petitioners along with other accused said to have caused some disruption to the function, which was questioned by the deceased. Hence, after some time, they went to his house and attacked him with a knife and bottle, due to which, his father sustained serious injuries and subsequently he succumbed to injuries. Hence, the complaint was registered against the petitioners.



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3. The learned counsel appearing for petitioners submitted that there is no specific overtact against them and they are innocent persons and they are no way connected with the offence and they have not committed any of offence as alleged by the respondent police. He would also submit that due to previous enmity, they have been falsely implicated in this case and they will abide by any condition that may be imposed by this court. He would also submit that the petitioners have been suffering incarceration from 17.01.2023. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that both the defacto complainant and petitioners are all family members and during the pongal festival, as the petitioners along with other accused disruption to the function, which was questioned by the deceased. Aggrieved over the same, they have attacked him with a knife and bottle, due to which, defacto complainant's father succumbed to injuries. He would submit that three previous cases pending against him and all the accused are secured and they are in judicial custody. He would



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also submit that if they are released on bail, they would hamper the investigation and tamper the witnesses and the investigation is not yet completed and it is in preliminary stage. However, he would 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 considering the gravity of offence committed by the petitioners, due to previous enmity, the petitioners along with other accused went to house of deceased and attacked him with knife, thereby he succumbed to injuries, in which a detailed investigation is required and 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 petitioner. Accordingly, this Criminal Original Petition is dismissed.

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