



CrI.O.P.No. 3095 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 16.01.2023 for the alleged offence under Sections 457, 393 of I.P.C. in Crime No.13 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 16.01.2023, when the petitioners along with other accused A1 said to have trespassed into defacto complainant's daughter house and broken the door and attempted to commit robbery, neighbours caught hold of petitioners and A1 and they were handed over to the respondent police. Accordingly, the complaint was registered against them.

3. The learned counsel for the petitioners submitted that there is no specific overtact attributed against the petitioners and they are innocent person and they have not at all committed any offence as alleged by the respondent police. He would submit that they are no way connected with



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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 16.01.2023. 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 notorious persons and having two previous cases, in which one murder cases pending against them and particularly, on the date of alleged occurrence, when they attempted to commit robbery, they were caught hold of by neighbours and handed over to the respondent police. 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 bail to the petitioners.

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, they are notorious persons and having two



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previous cases, in which one murder cases pending against them and they broke open the door of defacto complainant daughter's house and attempted to commit robbery and 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.

14.02.2023

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