



CrI.O.P.No. 3529 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 23.05.2022 for the alleged offence under Sections 147, 148 and 302 of I.P.C. in Crime No.945 of 2020 on the file of the respondent police pending trial in P.R.C. No.115 of 2021 on the file of learned XIII Metropolitan Magistrate, Egmore, Chennai, seeks bail.

2. The case of the prosecution is that the defacto complainant and her husband are practising advocates and she is a founder of Makkal Alum Arasiyal. Due to political enmity between the defacto complainant's family and the petitioner, he along with other accused, they said to have waylaid the victim and abused him in filthy language and also assaulted him with deadly weapons, thereby victim sustained serious injuries and died. Hence, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that he is an innocent person and he has not at all committed any offence as alleged by the respondent police and he is no way connected with the said offence. He would submit that there is no role of the petitioner in the alleged offence and he has been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 23.05.2022. 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 11 accused involved in this case. He would submit that earlier, there is a murder was happened, due to that previous enmity, as a retaliation, this murder was happened. He would submit that there are 7 previous cases, in which two murder cases pending against him. He would submit that the case was registered in the year of 2020 and subsequently, he absconded for the past 2 years and on issuance of PT warrant, now only he was secured. He would submit that the present case is of the year of 2020 and after the said occurrence, he involved in a



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murder case recently and he was arrested at Madipakkam. He would also submit that he was detained under Goondas Act and subsequently, it was revoked by this Court in H.C.P. No. 1297 of 2022. He would also submit that if he is released on bail, he will tamper the witnesses and hamper the 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 considering the gravity of offence committed by the petitioner and also on seeing the bad antecedents of the petitioner having 7 previous cases, in which two murder cases pending against him, and also the fact that investigation is still pending and if he is released on bail, he may abscond and 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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