



Crl.O.P.No. 4365 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.01.2023 for the alleged offence under Sections 302 and 307 of I.P.C. in Crime No.18 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's brother was working as a machine operator in MTA Spinning mill at Kannamapalaiyam and the petitioner is working as HR Manager in the same mill. On 10.01.2023 around 11.30 p.m., there was a wordy quarrel between deceased and neighbour for raising sound in the radio. At that time, the HR manager, petitioner herein along with supervisor came to the place and allotted people for night shift, but the deceased refuse to come night shift work, thereby there was a quarrel between them, in which, the deceased got up and assaulted with hands on the hands of petitioner, due to which, the petitioner took knife and stabbed the deceased and he succumbed to injuries. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that there is no specific overtact attributed against the petitioner and he is working as HR manager in MTA Mill. He would submit that when the deceased refused to attend night shift work, there was a quarrel between them, at that time deceased fell down on the floor and he attacked the petitioner with his knife, but unfortunately the knife was stabbed on the deceased and he never attempted to stab him. He would submit that it is not preplanned murder and there is no mensrea for committing murder, which is purely accidental death. He would submit that he is an innocent person and he has not at all committed any offence as alleged by the respondent police. He would submit that he has been falsely implicated by the respondent police and 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 13.01.2023. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that he is the sole accused. He would submit that



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deceased, who is aged about 36 years was working under the petitioner and both were working in the same textile company. He would submit that there was a quarrel between each other and committed murder of employee by stabbing him. He would submit that if he is released on bail, he would 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 also considering gravity of offence committed by the petitioner and the investigation is in initial stage and also considering the fact that if he is released on bail, he may abscond 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.

24.02.2023

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