



Crl.O.P.No.4487 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 29.01.2023 for the alleged offence under Sections 147, 148, 294(b), 307, 341, 506(ii) of I.P.C. and subsequently it was altered into Secs. 147, 148, 341, 294(b), 302, 506(ii) of I.P.C. in Crime No.33 of 2023 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 28.01.2023 at about 08.00 p.m. when the defacto complainant, who was a civil engineer went to visit his construction, the workers viz., the petitioner along with other accused came and hiding themselves in a building. While so, due to previous enmity, there was a wordy quarrel between the victim and the petitioner along with other accused, thereby they said to have brutally attacked the victim using wooden log i.e. cricket bat and stones, due to which, victim sustained injury on the head and all over the body and he was admitted in the hospital for treatment and subsequently he died. Hence, the complaint was registered against the petitioner.



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3. The learned counsel appearing for petitioner submitted that his name was not found in the F.I.R. and on the confession of co-accused, he was falsely implicated as accused. So, the entire allegation is false, vindictive, wanton and he is no way connected with the offence. He would submit that he has not at all committed any of offence as alleged by the respondent police and due to previous enmity, he has been falsely implicated in this case 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 28.01.2023. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 9 accused in this case and the petitioner is arrayed as A1. He would submit that on the date of occurrence, due to previous enmity, there was a quarrel between the petitioner along with other accused and the defacto complainant, thereby they assaulted the victim, in which he sustained serious injuries and subsequently he died. He would submit that that if he is released on bail, he may abscond and he would tamper the witnesses and hamper the



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investigation and the investigation is almost 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 that due to previous enmity, he along with other accused attacked victim with wooden log on his head and all over the body, thereby he sustained serious injuries and died, 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.

27.02.2023

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Crl.O.P.No. 4487 of 2023

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