



Crl.O.P.No. 4647 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 01.01.2023 for the alleged offence under Sec. 294(b), 302, 324, 341, 506(ii) of I.P.C. and subsequently, it was altered into Sec.294(b), 302, 307, 324, 341, 506(ii) of I.P.C. in Crime No.2 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's first son died 4 years back and he got married with one Gowthami. After the demise of her husband, she is having illegal affair with the petitioner, who is sister's husband of deceased, which was condemned by the defacto complainant and his family members. Hence, she avoided to have contact with him. However, on 31.12.2022 around 10.00 a.m., when she was returning to her village, at that time, this petitioner said to have asked her to stop in the place and brutally attacked her with iron rod on head, due to which she died on the spot. Hence, the complaint.



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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 occurrence. 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 01.01.2023. 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 he is having illicit intimacy with the deceased, when it was objected by family members, she refused to have contact with him, aggrieved over that, he waylaid her and attacked her with iron rod on head, thereby she succumbed to injuries. He would also submit that the investigation is in preliminary stage and if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.



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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 he is having illicit intimacy with the deceased, when it was objected by family members, she refused to have contact with him, aggrieved over that, he waylaid her and attacked her with iron rod on head, thereby she succumbed to injuries and thereby the alleged occurrence was happened on that day 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.

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