



Crl.O.P.No. 4619 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 31.01.2023 for the alleged offence under Section 302 of I.P.C. and subsequently it was altered into Sec.147, 148, 302 r/w 120(B) of I.P.C. in Crime No.70 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that one Ragavi was married to one Vasanth/A3 two years ago and she developed illegal relationship with her school friend viz., Sudhasandar and eloped with him two months back. On 30.01.2023 at about 8.20 p.m. while she was travelling in a two wheeler with the deceased near Murugan Temple at Kalpalayam junction, Villivakkam Road, brother of her and her aunt's son came down from an auto and brutally attacked deceased by using knife and they escaped from the scene of occurrence, thereby he 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 this petitioner is an auto driver by profession and specific overtact attributed against him is that the named accused travelled in his auto. He would submit 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 31.01.2023. 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 7 accused involved in this case and the petitioner is arrayed as A6. He would submit that A3's wife one Ragavi having affair with deceased, she eloped with him, due to which, the petitioner along with her husband attacked him with knife, thereby he sustained serious injuries and died. He would submit that he along with other accused conspired together and committed the offence. He would also



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submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is not yet completed and it is in preliminary stage. 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 the fact that he travelled with other accused in an auto and all were conspired together, thereby they have committed the offence and the alleged occurrence happened on the date of occurrence and the fact that investigation is still pending, which is in preliminary stage 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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