



Crl.O.P.No. 5053 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 12.01.2023 for the alleged offence under Section 174 of Cr.P.C. and subsequently altered to Sec. 120(B), 201 and 302 of I.P.C. in Crime No.6 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.01.2023, the defacto complainant lodged a complaint that her husband found missing from 09.01.2023 and on 11.01.2023, her husband was found dead at Neelapatti Village. The petitioner along with other accused were involved in transportation red sanders, however, due to dispute in respect of sending workers for tree cutting works to Tirupathi, they said to have attacked each other, thereby deceased succumbed to injuries. Hence, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that the main accused persons have committed murder of deceased in Amrithi forest, due to a wordy quarrel regarding tree cutting and based on a confession of them, this petitioner was falsely implicated as accused in this case and there is no specific overtact attributed against him. 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 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 12.01.2023 and this is the second petition seeking for bail. 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 3 accused involved in this case and the petitioner is arrayed as A3. He would submit that A1 is working in Forest department and the deceased along with others were



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involved in transportation of red sanders, and on the date of alleged occurrence, there was a dispute in cutting trees, thereby they attacked with each other, in which, deceased sustained serious injuries and died. Thereafter, all the three accused conspired together and thrown the body in some other place, thereby this petitioner accompanied with them and involved in the said incident. 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 that on the date of alleged occurrence, there was a dispute between them in cutting trees, thereby they attacked with each other, in which, deceased sustained serious injuries and died and thereafter, all the three accused conspired together and thrown the body in some other place, thereby this petitioner accompanied with them and involved in the said incident and also the fact that investigation is still



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pending and if he is released on bail, he may abscond and there is possibility of tampering the witnesses and hampering the investigation and also the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

03.03.2023

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