



Crl.O.P.No. 6243 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 18.11.2022 for the alleged offence under Sections 302 and 380 of I.P.C. in Crime No.270 of 2022 on the file of the respondent police, pending trial in P.R.C.No. 03 of 2023, on the file of District Munsif cum Judicial Magistrate, Cheyyur, Chengalpattu District, seeks bail.

2. The case of the prosecution is that on 18.07.2022 around 05.00 a.m., when the defacto complainant's wife not returned for quite some time, he found his wife corpus at his garden cattle shed, thereby her hands and legs are tied, her head was tied with gunny bag, thereby there was severe injuries on her right side of eye and forehead and on search, chain was missing from her neck. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this is the third petition seeking for bail. He would submit that the defacto



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complainant is husband of deceased and in earlier occasion, when the defacto complainant is having illicit intimacy with another lady, which was strongly objected by his wife, due to which, he murdered his wife, however, he portrayed the allegations against this petitioner, who is a neighbour of his house. Furthermore, the investigation with him was not properly conducted and hence, he wanted to peruse the statement of defacto complainant. He would submit that there is no specific overtact attributed against the petitioner and 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 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 18.11.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that due to previous enmity, the petitioner murdered the deceased by brutally assaulting her with reaper log on her



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head. The further allegation is that after committing murder, the petitioner committed theft of 10 sovereigns of deceased thali chain. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is almost completed and charge sheet has been filed against him. 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 also the fact that it is a murder for gain and if he is released on bail, he may abscond and there is possibility of tampering the witnesses and hampering the investigation and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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