



Crl.O.P.No.6494 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 323 and 363 of IPC altered into 147, 148, 341, 342, 323, 324, 364(A) and 302 of IPC, in Crime No.109 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the case in crime No.109 of 2023 came to be registered on the information given by one Rajasekar, who is the manager in Hotel A2B Adyar Anandha Bhavan. As per the complaint given by the said Rajasekar, he was working as a Manager in the hotel for the past three years and that on 23.02.2023 at 7.45 pm a 50 years old man had walked out from the hotel after having tiffin and at that time some persons who had come in a Tata car bearing Registration No.TN 12 X 2700 had abducted him in the car and he had informed the General Manager and thereafter on the instructions of the General Manager he has given a complaint to the police on 24.02.2023. Later, during the course of investigation, it came to light that the accused had abducted the victim on account of financial disputes and taken him to the



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house in Nolambur and kept him in illegal detention and after that, shifted him to another place and beaten him indiscriminately and due to the injuries sustained he died and later the accused had taken the body and disposed it near Kolapakkam, Mangadu. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an advocate by profession and he is innocent. He would submit that the petitioner and the deceased are friends for the past ten years and above and that the other accused had abducted the victim and taken him and kept him in a house and since the petitioner being an advocate known to the victim, he was called for settlement talks by the accused and he had gone there and other than that the petitioner had not committed any offence. During such visit, the petitioner had also taken photographs of the victim and immediately on the next day had passed on the photographs to the police and he had also lodged a complaint through Emergency Police Helpline and the complaint was also acknowledged by the Emergency Police Helpline. He would further submit that the petitioner who has nothing to do with the offence has been unnecessarily



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roped in this case and apprehending arrest the petitioner had approached this Court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner and A1 are close friends. The deceased had some financial dispute with A1 and on account of the same, the petitioner along with A1 had abducted the victim and they have kept him in illegal confinement a house in Nolambur limits where they have tortured and assaulted him, due to the injuries sustained by him, he died in the house. He would submit that there are ample materials to show that the petitioner was also present along with the other accused in the house and he has also assaulted the victim. He would further submit that though the petitioner had immediately after the death of the victim in order to escape from the clutches of law, has sent a complaint to the police to show as if he has nothing to do with the crime. He would further submit that the petitioner was not aware of the CCTV camera which was fixed inside the house and the CCTV has been recovered which shows that the petitioner has also assaulted the victim during the



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time the victim was kept in illegal confinement and he would submit that the petitioner being an advocate, has carefully in order to setup a defence in the case had sent a complaint later after the death of the victim. He would also submit that the investigation is in a very nascent stage. At this stage, if anticipatory bail is granted to the petitioner, he being an advocate, there is every possibility the petitioner interfering with the investigation and tampering with the evidence and thereby he would seek for dismissal of the bail application.

5. Heard both sides and perused the materials available on records.

6. Taking into consideration, the gravity of the offence and also allegations as against the petitioner, the materials available on record and that the investigation is at nascent stage, also considering the magnitude of the case, this Court is not inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, this Criminal Original Petition is dismissed.

30.03.2023

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