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Crl.O.P.No. 8136 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 Sections 294(b), 302 of I.P.C. in Crime No.12 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to family dispute on 30.01.2023 the petitioner went to the defacto complainant's house, abused her husband and also assaulted him with knife, thereby he sustained serious injuries and died. Hence, the complaint.

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 further submitted that there is no role of the petitioner in the alleged offence and he has been falsely implicated as accused in this case. He also



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submitted 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 this petitioner is none other than his paternal uncle and it is a case of double murder. He would submit that due to family dispute, the petitioner entered into defacto complainant's house, abused her husband and also assaulted him with knife, thereby, he succumbed to injuries. He would also submit that if he is released on bail, he would 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 by attacking defacto complainant's husband with knife due to family dispute, thereby he succumbed to injuries and also



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the fact that investigation is still pending, 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.

6. Accordingly, this Criminal Original Petition is dismissed.

19.04.2023

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