



Crl.O.P.Nos.11202 & 11403 of 2023

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A.A.NAKKIRAN, J.

The petitioners, who were arrested and remanded to judicial custody on 02.04.2023, for the offences punishable under Sections 323, 324, 302 of IPC r/w 34 of IPC in Crime No.51 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution as per the de-facto complainant is that the accused had assaulted the de-facto complainant's brother with knife, by demanding money and they have also assaulted the de-facto complainant, due to which, he also sustained grievous injuries. Later, the victim was taken to the hospital, where he was declared brought dead. Hence, the case.

3. It is submitted by both learned counsel appearing for the petitioners that the petitioners are innocent persons, aged about 26 & 24 years respectively and they have been implicated in this case only based on the confession recorded from the other accused. They further



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submitted that even the name of the petitioners does not find place in the First Information Report. They also submitted that the petitioners are in custody from 02.04.2023 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, they prayed for grant of bail to the petitioners.

4. Learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners along with other accused picked up the quarrel with the de-facto complainant's brother, demanding money from him, during which, they had assaulted him as well as the de-facto complainant and caused grievous injuries, whereas, the victim was declared dead in the hospital. He also submitted that investigation in this case is still pending. Hence, he opposed to grant bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate that the investigation is still pending and also considering the gravity of the offence committed by the petitioners, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, these Criminal Original Petitions are dismissed.

17.05.2023

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