



Crl.O.P.No.13235 of 2023

Crl.O.P.No.13235 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 01.03.2023, for the offences punishable under Section 302 IPC, in Crime No.99 of 2022, seeks bail.

2. Based on the complaint given by the de-facto complainant/ Sellakutty that his mother, aged about 75 years , was found lying dead in the backside of his house, a case in Crime No.99 of 2022 was came to be registered under Section 174 Cr.P.C. Later, during the course of investigation, it came to light that the accused/petitioner had committed murder of the victim and had robbed ear stud and nose pin from her and escaped from the scene of occurrence. Thereby, the case has been altered to one under Section 302 of IPC. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that originally, the case was registered

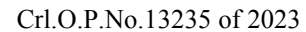


Crl.O.P.No.13235 of 2023

WEB COPY

under Section 174Cr.P.C and later, it was altered to one under Section 302 of IPC. He also submitted that absolutely there is no eye witness to the occurrence and the petitioner has been arrested only based on the suspicion. He also submitted that the investigation in this case has been completed and the petitioner is languishing in judicial custody from 01.03.2023. He further submitted that the petitioner is also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that it is the case of murder for gain. He further submitted that the petitioner had trespassed into the house of the deceased/victim and had committed the murder of her. Thereafter, the petitioner had taken away the earring and nose pin from the deceased and ran away from the scene of occurrence. He further submitted that the jewels were also recovered from the accused and also submitted that the investigation in this case has been completed and the case is pending committal on the file of the learned District and Sessions Judge,



5. Heard the learned counsel for the petitioner and the learned
ent Advocate (Crl.Side) for the respondent and perused the
available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on both sides, and also considering the fact that it is a case of murder for gain, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

14.06.2023

ham



WEB COPY



Crl.O.P.No.13235 of 2023

A.D.JAGADISH CHANDIRA, J.

ham

Crl.O.P.No.13235 of 2023

14.6.2023