



Crl.O.P.No.13864 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) and 306 of I.P.C. in Crime No.207 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that both the petitioner and the defacto complainant are transgenders and they are known to each other. While so, the petitioner has demanded money from the defacto complainant on several occasion and the defacto complainant has also given money to the petitioner. Due to his frequent demand, on 16.03.2022, the petitioner along with other other transgenders went to defacto complainant's house and demanded further money. Due to which, the defacto complainant set herself on fire. Hence, a complaint was registered against the petitioner.



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3. The learned counsel for the petitioner would submit that this the third petition seeking for anticipatory bail and the petitioner is an innocent person. He would submit that the defacto complainant obtained loans from the petitioner, but failed to repay the same. However, the defacto complainant has arm-twisted the entire facts as if she paid money to the petitioner. So, the petitioner is no way connected with the offence as alleged in the complaint and the petitioner has been falsely implicated in this case. He would also submit that there is no specific overtact attributed against the petitioner and the petitioner is ready to comply with any condition imposed by this court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that based on the dying declaration, the offence was altered into Sec.360 of I.P.C. and the arrest of the petitioner is highly needed for proper interrogation. He would further submit that if the anticipatory bail is granted, the petitioner may tamper the evidence and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case



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and the submissions made by both the counsels and also on considering the gravity of offence committed by the petitioner and the dying declaration and also the fact that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner and the petitioner is directed to surrender before the respondent police. Accordingly, this Criminal Original Petition is dismissed.

22.06.2023

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