



Crl.O.P.No.16794 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 147, 148, 341 and 302 of I.P.C. in Crime No.194 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity in respect of land, on 12.12.2022 when the defacto complainant's husband along with his brother came out from the land, at that time, the petitioner along with other accused alleged to have attacked him with knife and caused him to death. Hence, the present complaint has been lodged against the petitioner.

3. The learned senior counsel for the petitioner would submit that this is the fifth petition seeking for anticipatory bail and he is aged about 74 years old. He would submit that he is no way connected with the offence as alleged in the complaint and he is an innocent person and he has been falsely implicated in this case and co-accused was released on



Crl.O.P.No.16794 of 2023

WEB COPY

bail. He would also submit that as a lessee, he enjoyed the land and he entered into a lease agreement with one Gnanammal, who is mother of A4 and grandmother of A5 and there is no specific overtact attributed against the petitioner. He would also submit that there is a civil dispute between Gnanammal and A4, but the petitioner, who is arrayed as A1, is no way connected with the alleged civil dispute between them and he is ready to comply with any condition that may be 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 he is ranked as A1 and he only gave instruction to the other accused to commit murder of deceased in the land dispute. He would submit that totally, there are eight accused involved in the offence and co-accused was released on bail and one of accused A7, who is son of A1 was also released on bail. He would further submit that the investigation is almost completed and if the anticipatory bail is granted, he may tamper the evidence and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



Crl.O.P.No.16794 of 2023

WEB COPY

5. The learned counsel for intervenor raised objection stating that he is an influential person of the locality and he is not cooperating for investigation, since because the final report not yet filed and the investigation is still pending. He would submit that he only gave instruction to other accused to commit murder of deceased for the land dispute. Hence, he prayed to dismiss this petition.

6. Considering the above fact and circumstances of the case and the submissions made by both the counsels and also on considering the gravity of offence committed by the petitioner and he is ranked as A1 and as per the allegation in the F.I.R., he gave instruction to other accused to commit murder of deceased due to the land dispute and also the fact that though he is aged about 74 years, he involved in the offence and the fact that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, and he is directed to surrender before the respondent police. Accordingly, this Criminal Original Petition is dismissed.

17.08.2023

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rpp

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