



Crl.OP.No.17245 of 2023
and Crl.O.P.No.16936 of 2023

G.CHANDRASEKHARAN, J.

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These petitions are filed to enlarge the petitioners on bail pending investigation in Crime No.77 of 2023 on the file of the respondent Police.

2.It is the submission of learned counsel for the petitioners that petitioners are falsely implicated as accused in Cr.No.77 of 2023 for the offences under Sections 147, 148, 341, 302 I.P.C r/w 5 of Explosive Substance Act, 1908, @ 147, 148, 341, 302, 120 (b) I.P.C. r/w 4, 5 of Explosive Substance Act, 1908. They are in judicial custody from 14.05.2023. Investigation in this case is completed and final report is filed and the case is pending in S.C.No.165 of 2023, on the file of learned Principal District and Sessions Judge, Thiruvallur. Thus, this petition is filed for seeking bail.

3.In response, the learned Additional Public Prosecutor submitted that defacto-complainant's husband deceased Shankar is member of political party. He was engaged in scrap business. He has many enemies from political side and from his business side. He has also cases pending against him. On 27.04.2023, deceased had gone to his political party's office in his



KIA car bearing No.TN 03 AB 1186. As directed by her husband, defacto-complainant and her relative Arunbabu were waiting for the arrival of deceased Shankar, near Nazarathpet Signal Bus stop. They saw deceased Shankar's car approaching. At that point of time, two cars, one in front and one behind the car of the deceased Shankar obstructed the movement of the deceased's car. Ten persons from the cars got down and threw country bombs. The deceased tried to run towards Varadharajapuram. Accused Shanthakumar and others chased the deceased and attacked him with knife and other deadly weapons indiscriminately. As a result, he suffered injuries and died.

4.It is further submitted by the learned Additional Public Prosecutor that seventh accused in this case is the one who hit the deceased by his car. Tenth accused is the one who helped in manufacturing the country bomb and he was following the route taken by the deceased. Thirteenth accused was the one who had thrown the country bomb on the car driven by the deceased. Other accused had also participated in the criminal conspiracy involved in the murder of the deceased. A10, A16 and A19 have previous cases pending against them. He further submitted that if the petitioners are released on bail, they will threaten the witnesses and obstruct the free and



fair trial.

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5.Considered the rival submissions and perused the records.

6.It is a case where the deceased died after throwing country made bombs and the use of deadly weapons like knife. Investigation in this case is completed and the case is pending in S.C.No.165 of 2023 on the file of the learned Principal District and Sessions Judge, Thiruvallur. Considering the background of these accused that some of them have previous cases pending and that the active role played by them in the murder of the deceased and the apprehension that if they released on bail, they would threaten the witnesses and obstruct the free and fair trial, this court is not inclined to grant bail to the petitioners.

7.Accordingly, this Criminal Original Petition is dismissed.

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