



Crl.OP.No.17787 of 2023

G.CHANDRASEKHARAN, J.

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This petition is filed to enlarge the petitioners on bail pending in Crime No.253 of 2023 on the file of the Inspector of Police, Kottakuppam Police Station, Villupuram District.

2.It is the submission of learned counsel for the petitioners that petitioners are falsely implicated as accused in Cr.No.253 of 2023 for the offences under Section 147, 148, 341, 302, 120 (b) I.P.C. Petitioners happened to be the friends of second accused, that is why they are implicated in this case. They have nothing to do with the murder of the deceased Vimalraj. They are in judicial custody from 31.05.2023. Thus, this petition is filed seeking bail.

3.In response, the learned Additional Public Prosecutor submitted that there is a previous enmity between the family of one Krishnaswamy, the father of the deceased and the first and second accused namely Jana @ Vimalraj and Udhaya. In this dispute, on 12.07.2019, Vinothraj, the brother of the deceased Vimalraj was murdered by Kalaighnar @ Nagaraj, Rajendran, Jana @ Vimalraj, Gautham, Bharat, Manoraj and Kathir. The trial is being



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conducted in Dindivanam Court. The case is now pending for examination of eye witnesses. Two weeks before the incident Kalaighnar @ Nagaraj and Rajendran had come to the house of the defacto-complainant and informed the deceased Vimalraj that they were prepared to pay whatever the money they want, but they should not to give evidence against them in the pending murder case. Vimalraj refused that offer and therefore Kalaighnar @ Nagaraj and Rajendran made threat to Vimalraj and others. There were also phone calls from Jana @ Vimalraj, Udhaya and some others to the deceased Vimalraj asking him not to give evidence against them. When that be so, on 30.05.2023 at 8.00 a.m., the deceased Vimalraj had gone to his work in his two-wheeler bearing No.PY01 J 1785. Later the defacto-complainant came to know that her husband/Vimalraj was done to death by the accused using deadly weapons.

4.It is the further submission of the learned Additional Public Prosecutor that first petitioner had taken first accused in a motor cycle and second petitioner had taken third accused in motor cycle, at the time of commission of murder of the deceased. They have actively participated in the murder of the deceased. In such circumstances, he strongly opposed the



release of petitioners on bail. He further submitted that all the arrested accused are still in jail.

5.Considered the rival submissions and perused the records.

6.In the light of the facts obtained from the submission of learned counsel appearing for parties, First Information Report allegations that, it is seen that so far there had been two murders in connection with previous enmity between Krishnamoorthy, the father of deceased, and accused 1 and 2 in this case. From the allegations made in the First Information Report, it is clear that the deceased was murdered for the reason that he refused the offer of payment for avoiding giving evidence against the accused in a pending murder case. This is a serious allegation. Investigation in this case is not completed. If the petitioners are released on bail, there is no doubt that they would again indulge in threatening witnesses, tampering the evidence and fair trial in this case.

7.In this view of the matter, this Criminal Original Petition is dismissed.



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