



Crl.O.P.No.17768 of 2023

Crl.O.P.No.17768 of 2023

G.CHANDRASEKHARAN. J.

The petitioner namely Stephen @ Rajasekar, who was arrested and remanded to judicial custody on 30.06.2023 for the offences punishable under Section 174 of Cr.P.C. @ under Sections 302, r/w.34 IPC in Crime No.128 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case. The case in Crime No.128 of 2023 was originally registered under Section 174 of Cr.P.C. and subsequently, it was altered under Sections 302, r/w.34 IPC. He further submitted that, petitioner has no role in the murder of the deceased. Petitioner is in judicial custody from 30.06.2023. Thus, he prays for grant of bail.

3. Learned Public Prosecutor (Puducherry) opposes this petition, on the ground that, though, the first information report was originally registered under Section 174 of Cr.P.C., during investigation, it came to light through CCTV footage, that three accused came in a motor cycle from West to east direction and two of them got down from the motor cycle and assaulted the



CrI.O.P.No.17768 of 2023

deceased brutally with hands and legs and injured him with knife and robbed money from him. As a result, deceased succumbed to injuries. Therefore, the first information report was altered from Section 174 Cr.P.C. to Sections 302, r/w. 34 of IPC. The investigation in this case is not completed. Therefore, he prays for dismissal of this bail petition.

4. From the submission of the learned Public Prosecutor (Puducherry), it is clear that, it is a case of murder for gain. The accused in this case, said to have beaten the deceased to death with a motive to rob him. The investigation in this case is in preliminary stage and not completed. Thus, this Court is not inclined to release the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed.

16.08.2023

gvn/gd



WEB COPY



CrI.O.P.No.17768 of 2023

G.CHANDRASEKHARAN. J.

gvn/gd

CrI.O.P.No.17768 of 2023

16.08.2023