



Crl.O.P.No.18687 of 2023

Crl.O.P.No.18687 of 2023

G.CHANDRASEKHARAN. J.

The petitioner namely S.Balaji, who was arrested and remanded to judicial custody on 15.07.2023 for the offence punishable under Section 302 of IPC in Crime No.214 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 in Crime No.214 of 2023 for the offences under Section 302 IPC. He further submitted that, the deceased Appu @ Sadham Hussain had snatched the cellphone of this petitioner, one day before the alleged murder. Since 7th accused has not given any complaint for snatching the mobile phone by the deceased, petitioner is implicated as an accused, on suspicion. Infact, he is not at all involved in the alleged murder of the deceased. Petitioner is in judicial custody from 15.07.2023. Thus, he prays for grant of bail.

3. Learned Additional Public Prosecutor, opposes this petition, on the ground that, deceased own an Auto and let that auto to 1st accused for hire. 1st Accused, in turn lent the auto to some other person. 1st Accused had not paid the rent to the deceased for the auto and therefore, there was an issue between



Crl.O.P.No.18687 of 2023

the deceased and 1st Accused. On 11.07.2023, the deceased left the home, informing the defacto-complainant that, he was going to ask money from the 1st Accused/Viji @ Vijayakumar. Thereafter, defacto-complainant was informed that, there was a fight between her husband and Viji @ Vijayakumar and some other persons near No.19/29, Thiruvengadaiya 1st Street. Immediately the defacto-complainant rushed to that spot and found that, the deceased Appu @ Sadham Hussain was attacked with knife indiscriminately. As a result, he died on the spot. The specific overtact on this petitioner is that, he followed the movement of the deceased and informed the other accused and he was also present at the spot and he is one of the members of the accused, who conspired to eliminate the deceased. The investigation in this case is not completed. Therefore, he prays for dismissal of this bail petition.

4. Considered the rival submissions and perused the records.

5. In view of the submissions of the learned counsel for the parties, it is seen that, the petitioner had followed the movement of the deceased and informed to the other accused, facilitating the murder of the deceased and he



Crl.O.P.No.18687 of 2023

was also present on the spot, at the time of murder. The first information report was registered on 11.07.2023 and the petitioner was arrested only on 15.07.2023. The investigation in this case is in preliminary stage.

6. Considering the above facts, 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



Crl.O.P.No.18687 of 2023

G.CHANDRASEKHARAN. J.

gvn/gd

Crl.O.P.No.18687 of 2023

16.08.2023