



Crl.O.P.No.19646 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely S.Arun, who was arrested and remanded to judicial custody on 02.10.2022 for the offences punishable under Sections 294(b), 323, 342, 376, 392, 451, 506(ii) IPC altered into Sections 323, 34, 342, 354(1)(ii), 376D, 392, 397, 450, 506(ii) IPC in Crime No.993 of 2022 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioner submitted that, petitioner is falsely implicated as an accused in this case in Crime No.993 of 2022 for the offences under Sections 323, 34, 342, 354(1)(ii), 376D, 392, 397, 450, 506(ii) IPC. Petitioner is in judicial custody from 02.10.2022. Thus, he prays for dismissal of this petition.

3. Learned Additional Public Prosecutor opposes this petition, on the ground, on 23.09.2022, at about 12.00 p.m., petitioner along with other accused illegally trespassed into the house of the defacto complainant, as if they were repairing her air conditioner and the accused Arputharaj had forcefully raped her. They had stolen the cellphone, diamond and gold jewelleryes of the defacto complainant and made criminal intimidation. The



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allegation against this petitioner is that, he assisted and helped the 1st accused to rape the defacto complainant. Investigation in this case is completed and taken on file in S.C.No.26 of 2023 on the file of the Mahila Court, Chengalpattu. It is his further submission that, if the petitioner is released on bail, there is a possibility of the petitioner to abscond and that, he may threaten the witnesses and tamper the evidence. Thus, he prays for dismissal of this petition.

4. Considered the submissions and perused the records.

5. Though investigation in this case is completed, considering the nature of the offence alleged to have been committed by the petitioner, this Court is of the view that, releasing the petitioner at this stage would result in denial of fair trial. Petitioner may threaten the witnesses or tamper the evidence. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

30.08.2023

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G.CHANDRASEKHARAN. J.



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