



CrI.OP.No.20612 of 2023

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G.CHANDRASEKHARAN.J.,

The petitioner namely Akash, who was arrested and remanded to judicial custody on 17.07.2023 for the offences under Sections 147, 148, 294(b), 324, 307, 506(ii) of IPC in Crime No.311 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, due to previous enmity, false and exaggerated complaint was given by the defacto complainant. Based on which, FIR was registered against the petitioner in Crime No.311 of 2023 for the offences under Sections 147, 148, 294(b), 324, 307, 506(ii) of IPC. Petitioner is in Judicial Custody from 17.07.2023. Thus, he seeks bail to the petitioner.

3. In response, learned Additional Public Prosecutor submitted that, defacto complainant is the mother of the victim Tamilarasan. Tamilarasan is an accused in a case in connection with the murder of the 1st accused's brother. On 07.07.2023, victim visited the defacto complainant and got Rs.1000/- from her and left the home. Then on the same day at about 10.00.p.m., she was informed that, her son suffered



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injuries and was admitted in Stanley Medical College and Hospital. On visiting the hospital, defacto complainant was informed by the victim that, accused in this case including the petitioner had attacked him with knife in connection with the murder of one Jeevan Kumar. As a result, victim was severely injured on his head and his wrists in both the hands almost got severed. In support of his submission, he produced the wound certificate of the victim and it shows that, victim sustained multiple injuries on his both hands. He submitted that, some of the accused who granted bail have not complied with conditions till date and therefore, respondent police initiated steps for filing petition for cancellation of bail. He further submitted that, petitioner has following 15 previous cases.

i) M-5 PS Crime No. 556 of 2017 under Sections 147, 148, 341, 294(b), 336, 392, 397, 427, 506(ii) of IPC

ii) M-5 PS Crime No.1391 of 2017 under Sections 147, 148, 341, 294(b), 324, 506(ii) of IPC

iii) M-5 PS Crime No.596 of 2018 under Sections 341, 294(b), 384, 506(ii) of IPC.

iv) N1 PS Crime N.1818 of 2018 under Sections 392 of IPC.

v) N4 PS Crime No.506 of 2018 under Sections 341, 323, 392



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vi) N4 PS Crime No.99 of 2021 under Sections 341, 294(b), 323, 324, 307, 506(ii) of IPC.

vii) M5 PS Crime No.321 of 2019 under Sections 147, 148, 294(b), 307, 324, 341, 506(ii) of IPC.

viii) M5 PS Crime No.322 of 2019 under Sections 147, 148, 341, 294(b), 307, 324, 341, 506(ii) of IPC

ix) M5 PS Crime No.132 of 2020 under Sections 341, 294(b), 336, 392, 397, 506(ii) of IPC altered into Sections 341, 384, 506(I) of IPC

x) M5 PS Crime No.4021 of 2020 under Sections 399 of IPC

xi) M5 PS Crime No.1316 of 2020 under Sections 8(c) read with Sections 20(ii) (B) of NDPS Act

xii) M5 PS Crime No.103 of 2021 under Sections 8(c) read with Sections 20(ii) (B) of NDPS Act.

xiii) M5 PS Crime No.500 of 2021 under Sections 341, 294(b), 336, 392, 397, 506(ii) of IPC.

xiv) M5 PS Crime No.817 of 2021 under Sections 341, 294(b), 336, 392, 397, 506(ii) of IPC.

xv) M5 PS Crime No.1005 of 2021 under Sections 341, 294(b), 336, 392, 397, 506(ii) of IPC.

4. Considered the rival submissions and perused the records. It



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is seen from the submission of the learned counsel appearing for the parties that, due to previous enmity in connection with the murder of the first accused's brother Jeevan Kumar, accused had attacked Tamizharasan. In the said attack, victim has suffered serious injuries to the extent of severing both the hand, at wrist. Not only that, petitioner has 15 previous cases pending. It is also informed that, some of the accused, who had granted bail are not complying with the conditions imposed against them and therefore, respondent police had initiated steps for filing petition for cancellation of bail. Investigation in this case is not completed. Thus, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this Criminal Original petition is dismissed.

11.09.2023

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