



CRL.O.P.No.31134 of 2022

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WEB C **T.V.THAMILSELVI, J.**

The petitioner who was arrested and remanded to judicial custody on 24.11.2022 for the offence punishable under Sections 341, 448, 385, 307 and 506(ii) IPC r/w 3 (1) of TNPPDL Act in Crime No.308 of 2022, on the file of respondent police, seeks bail.

2. The case of the prosecution is that A1, who is the son of Village Panchayat President, along with other accused demanded the owner of the company for giving contract work and also demanded a sum of Rs.10 lakhs as momool. While being so, on 22.11.2022, the petitioners dug the way to the company by using JCB by engaging another and on 23.11.2022 damaged the public way using JCB and also attempted to hit the defacto complainant and threatened that if the company did not pay mamool, no one can enter into the company. Hence, the complaint.

3.The learned counsel for the petitioner would submit that this is the second petition seeking for bail and the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would submit that his name is not mentioned in the F.I.R. He



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further submitted that no one is injured in the said quarrel and that there is no altercation between the parties and that the petitioner is suffering incarceration from 24.11.2022. Hence prays for grant of anticipatory bail.

4. The learned counsel appearing for Intervenor would submit that the petitioner along with other accused are constantly threatening the defacto complainant and also a company Sri Sai Enterprises, which supplies the goods to the defacto complainant's company and they have demanded a sum of Rs.10 lakhs as mamool. He would submit that on 22.11.2022 the petitioner along with other accused dug the way to the company and on 23.11.2022 they have damaged the public road by using JCB. He would submit that few years ago, all the accused already murdered the employee of the company and F.I.R. registered against them is still pending. He would submit that A1 is the Panchayat President's son, and as his mother is panchayat president, he demanded the contract and getting mamool along with other accused, but the defacto complainant refused to pay the mamool. He would submit that the petitioner along with other accused at the instructions and instigation of A1, have committed the offence and also threatening the company people. Hence, he prayed to dismiss the petition.



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5. The learned Government Advocate (Crl.Side) would submit that there are totally three accused and the petitioner is arrayed as A1. He would submit that the petition seeking for bail filed by A2 and A3 were dismissed by this court. He would submit that there are five previous cases pending against him including one murder case committing murder of one employee of the company. He would submit that this is the second petition seeking for bail and the investigation is at initial stage. Therefore, he vehemently opposed to grant bail to the petitioner.

6. Taking into account the fact that the investigation is at initial stage and the petitioner is having five previous cases, in which, in one of the case, he has committed murder of one employee of the company and now if he is released on bail, he would hamper the investigation and tamper the witnesses and also there is no change of circumstances, this court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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