



Crl.O.P.No.26422 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 143, 120(b) 302 r/w Sec.149 of I.P.C. in Crime No.317 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.11.2022, son of defacto complainant was found dead and out of total 8 accused, the petitioner is arrayed as A5 and a complaint was registered against him.

3. The learned counsel for the petitioner would submit that this the fifth petition seeking for anticipatory bail and he is an innocent person. He would submit that his name was not found in the F.I.R. and based on the confession of A1, his name was implicated in this case. So, he is no way connected with the offence as alleged in the complaint and he has been falsely implicated in this case and co-accused was released on bail. He would also submit that there is no specific overtact attributed against the petitioner and he is ready to comply with any condition imposed by



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this court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that it is case of double murder and the petitioner is ranked as A5 and he is the main accused and under whose direction, the alleged occurrence was happened. So, as per the prosecution, the petitioner herein is a main person behind of alleged occurrence of murder. He would submit that all the accused are in judicial custody and now the trial was begun and nearly about 27 witnesses were examined and six witnesses are yet to be examined. He would further submit that if the anticipatory bail is granted, he may tamper the evidence and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and the submissions made by both the counsels and also on considering the gravity of offence committed by the petitioner and now, the trial was begun and so far, 27 witnesses have been examined and six witnesses are yet to be examined and there is no change of circumstances and also the



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fact that the petitioner is the main accused, under whose direction, the alleged occurrence happened, this Court is not inclined to grant anticipatory bail to the petitioner, and he is directed to surrender before the respondent police. Accordingly, this Criminal Original Petition is dismissed.

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