

**Crl.O.P.No.26465 of 2023****C.V.KARTHIKEYAN, J.**

The petitioner/A3 seeks bail in Crime No.81 of 2023, registered by the respondent police for the offences punishable under Sections 148, 302, 506(ii), 120B, 449, 34, 109, 201 of IPC and Sections 27(3), 25(B)(a) of Arms Act. The petitioner had been remanded to judicial custody on 12.02.2023.

2.It is stated on behalf of the respondent that investigation has been completed and final report had also been filed before the Judicial Magistrate III, Coimbatore, and the same had been taken cognizance as P.R.C.No.131 of 2023.

3.It is stated that A1, A2, A3, A5 and A7 are in judicial custody and A4, A6, A8 and A9 had been granted bail.

4.The learned counsel for the petitioner points out the above factors and states that there is no direct overt act as against the petitioner of actually assaulting the deceased and that he was only standing outside the inner ring and had ensured that general public do not come to rescue. But, at any rate, he was also having Aruval in his hand.



5.It is stated by the prosecution that on 12.02.2023, the accused was chased by all the accused and he took shelter in a house and the accused went into the house and fired two rounds and thereby the accused died.

6.Taking into account all these factors, I am not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original Petition stands dismissed. Let the matter be committed to the Court of Sessions. Let the charges also be framed so that that actual charges against the petitioner can be discerned.

27.11.2023

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