



Crl.O.P.No. 32412 of 2022

WEB COPY

Crl.O.P.No. 32412 of 2022

T.V.THAMILSELVI, J.

The 1st and 2nd petitioners, who were arrested and remanded to judicial custody on 24.10.2022 and 3rd petitioner, who was arrested and remanded to judicial custody on 26.10.2022 for the alleged offence under Sections 341, 294(b) and 302 of I.P.C. in Crime No.641 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.10.2022 at 14.30 hours when the defacto complainant and his father were returning home after giving traditional gifts to his paternal aunt, at that time, due to previous enmity that the complainant's father misappropriated money during the death of complainant's grandfather, the 1st petitioner said to have attacked with iron rod and the 2nd petitioner with spade handle, resulting in which, the deceased Ramakrishnan died at 17.30 hours in hospital. Hence, the complaint.



Crl.O.P.No. 32412 of 2022

WEB COPY

3. The learned counsel for the petitioners submitted that there is no specific overtact attributed against the petitioners and they have not at all committed any offence as alleged by the respondent police and they are no way connected with the occurrence. He would further submit that they have been falsely implicated in this case. He would submit that the investigation is almost completed and that the petitioners have been suffering incarceration for the period of two months. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 3 accused involved in this case and all are relatives. He would submit that due to previous enmity, the petitioners have attacked the deceased with iron rod and spade handle, resulting in which, deceased died. He would also submit that if they are released on bail, they would tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioners.



CrI.O.P.No. 32412 of 2022

WEB COPY

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering gravity of offence committed by the petitioners, all are close relatives, due to previous enmity, they attacked deceased with iron rod and spade handle, resulting in which, the deceased, so, a detailed investigation is required in this case, and also considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

04.01.2023

rpp



WEB COPY



Crl.O.P.No. 32412 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 32412 of 2022

04.01.2023