



Crl.O.P.No. 8051 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 05.03.2024 for the alleged offence under Sections 328 of I.P.C. in Crime No. 61 of 2024, on the file of respondent police, seeks bail.

2. The case of the prosecution is that on 05.03.2024, the defacto complainant lodged a complaint stating that he studied till 8th Std. and he is working as a labourer for workshop in Ottamethi. His father died and his mother is selling bangles in a pushcart in Pallipalayam. While being so, A1 and A2 became his acquaintance and during his occasional visits, he had seen them mixing the drug with water and inject it into the arm vein. At that time, they have stated that if he used it, he will get a good addiction. Hence, he bought the tablet called Tapentadol 100 mg banned by Government of Tamil Nadu found in A1 and he also used it and the same were seized by the respondent police. Accordingly, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that there is no prima facie materials or any incriminating materials against him except the confession statement. He would submit that there is no specific overtact attributed against the petitioner and he is an innocent person and he has not at all committed any offence as alleged by the respondent police. He would submit that he is no way connected with the occurrence and he will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 05.03.2024 for more than 26 days. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that A1 and A2 became acquaintance of defacot complainant and during his occasional visits, he had seen them mixing the drug with water and inject it into the arm vein. At that time, they have stated that if he used it, he will get a good addiction. Hence, he bought the tablet called Tapentadol 100 mg banned by Government of Tamil Nadu found in A1 and he also used it. He would submit that totally, there are 9

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accused involved in this case and the petitioner is arrayed as A9. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. On seeing the facts, it reveals that A1 and A2 used to sell the tablets purchased from Rajasthan without any valid license and those tablets would cause semi-conscious, thereby, they have sold the same illegally. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offences committed by the petitioner and the fact that he belong to Rajasthan, and the investigation is not yet completed and if he is released on bail, 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.

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