



Crl.O.P.No.10164 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 01.03.2024 registered by the respondent Police under Sections 294(b) and 506(2) IPC and later, altered to Sections 294(b), 306, 506(2) of IPC in Crime No.130 of 2024, seek bail.

2.The case of the prosecution is that the 1st petitioner run a hotel in the name of Sri Sai, wherein on 28.02.2024 around 07.00 p.m., the defacto complainant went to 1st petitioner's hotel for having food and after having food in the hotel, he asked the 1st petitioner to receive the money tomorrow, since he don't have money with him, for which the petitioners said to have scolded him with filthy language and also threatened him with ladle to pay the amount. On the next day, the defacto complainant who cannot tolerate the same had committed suicide by pouring petrol on him in front of his saloon shop. Hence the complaint.

3.The learned counsel for the petitioners would submit that this is the second petition seeking for bail and due to a family dispute, the deceased committed suicide. He would submit that the petitioners are



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innocent person and they have been falsely implicated in this case. He would further submit the defacto complainant came in their hotel in a drunken manner and after having food, refused to pay money and the petitioners left the issue and told him to pay the money by tomorrow. He would also submit that the petitioners only demanded money from the defacto complainant and not threatened him. He would submit that they are suffering incarceration for 55 days from 01.03.2024. Hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the defacto complainant after having food in the hotel of the first petitioner, refused to pay money, for which, the petitioners scolded and threatened the defacto complainant with ladle. Thereafter, out of extreme frustration, the defacto complainant committed suicide by pouring petrol on him. He would further submit that the investigation is still pending. He would submit that if they are released on bail, they would hamper investigation and tamper the witnesses. Hence, he vehemently opposed to grant bail to the petitioners.



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5. Considering the above facts and circumstances and according to the prosecution, before the death, the deceased gave a statement and based on that, F.I.R. was registered, wherein he stated that petitioners have abused him and his family members with filthy language, due to which he committed suicide by pouring kerosene in front of his shop and subsequently died and so, on seeing the gravity of offence committed by the petitioners and the fact that the investigation is not yet completed and the fact that at this stage, if they are released on bail, there is possibility of tampering evidence and hampering investigation and also the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

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