



Crl.O.P.No.10695 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 15.03.2024 in Crime No.108 of 2024 registered for the alleged offences punishable under Sections 323, 307, 389, 506(ii) and 120B of IPC, seeks bail.

2. Learned senior counsel appearing for the petitioner prayed for bail stating that this is the second bail application filed by the petitioner before this Court. He further submitted that in respect of the previous cases pending against the petitioner, he was acquitted in most of the cases and most of them are false cases foisted to curtail his political activity. He also submitted that the petitioner is aged about 56 years and he has nothing to do with the alleged offence. He further submitted that even in this case, he has been implicated only based on the suspicion and the similarly placed co-accused /A8 has also been released on bail by this Court. He also submitted that the petitioner is in custody from 15.03.2024.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that this is the second application for bail filed by the petitioner, against whom, several cases are pending and his earlier bail application was dismissed by this Court only on 10.04.2024. He further submitted that the accused, on the instigation of the petitioner herein, had demanded money from the Adhina Madathipathy Sri La Sri Masilamani Swamy, by threatening him that they would release his obscene audio and video in social media. Further, the accused have also attempted to murder the brother of Adhina Madathipathy/de facto complainant.

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4. He further submitted that accused 2, 5, 6 and 9 are still absconding and the investigation is still pending and thereby, there is no change of circumstances. He further submitted that the petitioner/accused is an influential person in that locality and therefore, if the accused is released on bail, he may tamper with the material evidence and threaten the witnesses. Hence, he objected for grant of bail to the petitioner

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of this case and the submissions made by the learned Government Advocate (Criminal Side) that some of the accused are yet to be secured and the investigation is still pending and also considering the fact that the earlier bail application was dismissed only on 10.04.2024 and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

29.04.2024

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