



Crl.O.P.No. 15018 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 23.10.2023 for the alleged offence under Sections 147, 148, 149, 294(b), 120(B), 302 of I.P.C. and under Sec.3 of Prevention of Damage to Public Property Act, 1984 in Crime No. 135 of 2018 on the file of the respondent police and pending trial in S.C.No. 238 of 2023, on the file of III Addl. District and Sessions Judge, Cuddalore at Vridhachalam, seeks bail.

2. The case of the prosecution is that on 24.04.2018, when the defacto complainant's husband informed her to come along with him for collection of amount from one Vicky went to NLC Middle school, the petitioner along with other accused came in a two wheeler, abused them, assaulted them and kidnapped her husband. Thereafter, she was informed that her husband was attacked by them, and committed murder of him. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that he has been falsely implicated in this case as if he has also participated in the commission of murder of deceased. He would submit that this is the second petition seeking for bail. He would submit that he is no way connected with the case and he has not at all committed any offence as alleged by the respondent police and he was not present at the scene of occurrence. He would submit that the investigation is almost completed and he would abide by any condition that may be imposed by this court and he is in judicial custody from 23.10.2023 for more than 8 months. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is ranked as A12 and he along with other accused conspired and kidnapped him and committed murder of him. He would submit that final report was filed in S.C.No. 238 of 2023 and the trial is yet to be commenced. He would submit that if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence committed by the petitioner on conspiring with other accused and committed murder of deceased and also the fact that investigation was completed and a final report was filed in S.C.No.238 of 2023 and trial is yet to be commenced and at this stage, if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and also the fact that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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