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CrI.O.P.No. 15213 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 11.06.2024 for the alleged offence under Sections 379, 430, 294(b), 324, 332, 307 of I.P.C. r/w 21(1) of MMDR Act in Crime No. 406 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.06.2024, when the respondent police conducted routine checkup at Balapuram Thamaneri, Veeramangalam, the petitioner alleged to have transported 2 bags of river sand in a two wheeler without any bills or receipt and when they enquired, he said to have abused them in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has been falsely implicated in this case as if he has transported 2 bags of river sand



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in a two wheeler without any bills or receipt. In fact, he is no way connected with the case and he has not at all committed any offence as alleged by the respondent police. 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 11.06.2024 for more than 29 days. 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 arrayed as sole accused and the petitioner has transported 2 bags of river sand in a two wheeler and when the respondent police enquired, he abused them and also threatened them with dire consequences. He would submit that there is a proposal for detaining him under Goondas Act. 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.

5. Considering the facts and circumstances of the case and the submissions made by both counsel, considering the gravity of offence



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committed by the petitioner, he transported 2 bags of river sand in a two wheeler without any bills or receipt and the fact that when the respondent police enquired him, he abused them and also threatened them with dire consequences and there is a proposal for detaining him under Goonda Act and also the fact that investigation is still pending and if he is released on bail, he may abscond and 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.

11.07.2024

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