



Crl.O.P.No. 17028 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 19.06.2024 for the alleged offence under Sections 279, 337 (2 counts), 338 and 304(A) (2 counts) of I.P.C. and later it was altered into Sec.279, 308, 304(ii) of I.P.C. r/w Sec.188 of MV Act in Crime No.361 of 2024 on the file of respondent police, seeks bail.

2. The case of prosecution is that on 15.06.2024 around 04.40 hrs., near Vandaloor to Meenjur Bye-pass Road, at Siruniyam Fly over, defacto complainant's son and other accused alleged to have participated in the auto race without obtaining any permission, thereby accident was happened, as a result of which, his son sustained injuries and died and other three persons were also sustained injuries and admitted in hospital for treatment. Hence, the complaint was registered against the petitioners.



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3. The learned counsel for the petitioners submitted that they have not at all committed any offence as alleged by the respondent police and they are no way connected with the said concern. He would submit that there is no overtact attributed against them and there is no role of the petitioners in the alleged offence and they have been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioners have been suffering incarceration for more than 29 days from 19.06.2024. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that defacto complainant's son and other accused participated in the auto race without obtaining any permission, thereby accident was happened, as a result of which, his son sustained injuries and died and other three persons were also sustained injuries. He would submit that due to auto race conducted by them without wearing safety measures,



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there was a fatal accident happened, thereby two persons died. He would also submit that if they are released on bail, they will tamper the witnesses and hamper the investigation and investigation is at initial stage. Hence, he vehemently opposed to grant bail to the petitioners.

5. On considering the facts and circumstances of the case and the submissions made by both counsel and also on considering the gravity of offence committed by the petitioners, defacto complainant's son and other accused participated in the auto race without obtaining any permission, thereby accident was happened, as a result of which, his son sustained injuries and died and other three persons were also sustained injuries and the fact that there was a fatal accident, due to which, two persons died and investigation is at the initial stage and the fact that if they are released on bail, they may abscond and there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

19.07.2024



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