



Crl.O.P.No. 17011 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 27.06.2024 for the alleged offence under Sections 279, 337 (2 counts), 338 and 304(A) of I.P.C. and later it was altered into Sec.279, 304(2), 308 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 petitioner.



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3. The learned counsel for the petitioner submitted that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the said concern. He would submit that there is no overtact attributed against him and there is no role of the petitioner in the alleged offence and he has been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than 21 days from 27.06.2024. Hence, he prayed to grant bail to the petitioner.

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



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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 petitioner, 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 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.

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