



Crl.O.P.No.17865 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 07.08.2020 for the alleged offence under Sections 449, 302 (2 counts) and 307 of I.P.C., pending trial in S.C.No.64 of 2021 on the file of Sessions (Fast Track Mahila) Judge, Namakkal in Crime No.457 of 2020 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the defacto complainant and petitioner are relatives. While so on 07.08.2020, this petitioner said to have attacked defacto complainant's father and his aunt with koduval, due to which, his aunt dies on the spot and defacto complainant's father died in the hospital. Furthermore, the petitioner said to have threatened others, who had attempted to catch hold of him and abused them with filthy language. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that this is second petition seeking for bail. He would submit that he has not at all



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committed any of offence as alleged by the respondent police and he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than 3 ½ years from 07.08.2020. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that due to the attack with koduval by the petitioner, the defacto complainant's father and his aunt were died. He would submit that both the petitioner and defacto complainant are relatives. He would submit that the charge sheet was filed in S.C.No.64 f 2021 and now the trial is posted for defence side witness and he is arrayed as sole accused. He would submit that that if he is released on bail, he would tamper the witnesses and hamper the investigation and investigation is at initial stage. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances, and on seeing the gravity of offence committed by the petitioner, he attacked defacto complainant's father and his aunt with koduval, thereby she died on the



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spot and his father died in the hospital and he has also attacked another person, due to which, he sustained grievous injury and this is the case of Sec.302 (2 counts) of I.P.C. and now if he is released on bail, he may abscond and there is possibility of tampering the witnesses and hampering investigation and 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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