



CrI.O.P.No. 17545 of 2024

WEB COPY

CrI.O.P.No. 17545 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.05.2024 for the alleged offence under Sections 302 I.P.C. r/w 34, 120B of I.P.C. in Crime No.368 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's friend Abinеш had a love affair with a deceased victim girl, which was opposed by her family members, especially his brother and the petitioner was warned by them. In the meantime, deceased victim girl met with an accident and died. Subsequently brother of deceased victim girl and his associates said to have assaulted defacto complainant's friend, thereby he sustained serious injury and died. Hence, the complaint was registered against the petitioner.

3. The learned counsel for the petitioner submitted that he has been falsely implicated in this case as if he actively participated in committing the murder of deceased Abinеш, but, in fact, there is no specific overtact



Crl.O.P.No. 17545 of 2024

WEB COPY

against the petitioner and he is an innocent person and he is no way connected with the offence and he has not involved in the alleged commission of murder of deceased. He would further submit that the petitioner has been falsely implicated in this case and he is suffering incarceration for more than 71 days from 13.05.2024. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally four accused involved in this case and the petitioner is arrayed as A2. He would submit that A1's sister had a love affair with the deceased, due to which, there was an enmity, but A1's sister met with an accident and died and her father also sustained injury in the said accident. While being so, A1 called the deceased to the place of occurrence, at that time, deceased was attacked by A1, thereby this petitioner has also accompanied with A1 to kill deceased and no previous case pending against him. He would submit that if he is released on bail, he will tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.



Crl.O.P.No. 17545 of 2024

WEB COPY

5. On seeing the facts, it reveals that the petitioner is friend of A1 and A1's sister had a love affair with the deceased, due to which, there was an enmity, however A1's sister met with an accident and died and her father also sustained injury in the said accident. Subsequently, A1 called the petitioner to come to the place of occurrence along with deceased and at that time, deceased was attacked by A1, thereby he has also accompanied with A1 to kill deceased. Considering the facts and circumstances of the case and the submissions made by both counsel and on seeing the gravity of offence committed by the petitioner and the fact that he has actively participated in the offence, and also considering 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.

24.07.2024

rpp



WEB COPY



Crl.O.P.No. 17545 of 2024

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 17545 of 2024

24.07.2024