



Crl.O.P.No. 17931 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 10.05.2024 for the alleged offence under Sections 365, 342 of I.P.C. @ 342, 364, 147, 148, 302, 201, 120-B of I.P.C. in Crime No.203 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, his father, his mother and brother started to Sairam Engineering College to write NEET exam, his parents told him that they will go to see petitioners and one Vijayaraghavan, who quarrelled by asking money for selling land at Pollachi. So, they informed to the defacto complainant that after writing the NEET exam, take back his brother to home and dropped them. Thereafter, from 05.30 onwards till 10.00 hrs., when they called their parents, their cell phones were switched off. Later, it is alleged that the petitioners along with other accused said to have kidnapped his deceased father and mother and they murdered his father and detained his mother in



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one place and they demanded ransom from the defacto complainant.

Hence, the complaint was registered against the petitioners.

3. The learned counsel for the petitioners submitted that they were falsely implicated in this case as if they along with other accused kidnapped father and mother of defacto complainant and subsequently murdered his father and detained his mother. In fact, they are no way connected with the offence and there is no specific overtact against these petitioners and they are innocent persons and they have not at all committed any offence as alleged by the respondent police. He would submit that 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 from 10.05.2024 for more than 79 days. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that already there is a job racketing, due to which,



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with previous motive, the deceased along with his wife were kidnapped by petitioners along with other accused and subsequently, his father was murdered and mother of defacto complainant alone was secured when the defacto complainant went there along with the respondent police. He would submit that totally, there are 3 accused involved in this case and the petitioners are arrayed as A1 to A3. He would also submit that if they are released on bail, they may abscond and they would tamper the witnesses and hamper the investigation and the investigation is completed and the charge sheet is yet to be filed. Hence, he vehemently opposed to grant bail to the petitioners.

5. 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, already there was a job racketing, due to which, the petitioners have kidnapped father and mother of defacto complainant, thereby they demanded ransom and subsequently they murdered his father and now his mother alone was secured when the defacto complainant went to the spot along with the police, which would



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show that the petitioners along with other accused have killed father of defacto complainant and also detained his mother, which requires detailed investigation and also the fact that now investigation is not yet completed and 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. However, the Investigating Officer is directed to file a charge sheet within a period of four weeks from the date of receipt of copy of this order.

6. Furthermore, as per FIR, due to previous enmity, the father and mother of defacto complainant were kidnapped by the petitioners along with other accused and subsequently his father was murdered and his mother was detained by them and she was secured by the defacto complainant when he went to the spot along with police. It is seen that the minor children of the deceased have lost their father in the said occurrence. Hence, this Court recommends that it is a fit case to refer, **as per 357(A) (1)(2) and (6) of Victim Compensation Scheme.** The **District Legal**



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Services Authority, Kancheepuram District, is hereby directed to refer the matter to **District Collector, Kancheepuram District** to get compensation of **Rs.1,00,000/- (Rupees One Lakh only) i.e. Rs.50,000/- each** in the name of the two minor children of the deceased under the guardianship of any one of the maternal grandparents of the children, in post office fixed deposit till they attain majority, as interim compensation in the manner known to law within a period of 12 weeks from the date of receipt of copy of this order. The maternal grandparent is permitted to withdraw the interest accrued till the children attain majority and utilize the same for the welfare of the children.

29.07.2024

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