



CrI.O.P.No.18942 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 31.05.2024 for the alleged offence under Sections 147, 148, 294(b), 324, 307, 302, 506(ii) of I.P.C. r/w 120B, 109 I.P.C. and later it was altered into Sec.147, 148, 294(b), 324, 307, 302 (2 counts), 506(ii) of I.P.C. r/w 120B, 109 I.P.C. in Crime No.246 of 2024 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the defacto complainant is a sister of deceased. Both the defacto complainant and the petitioner have worked in Health Department, Kadambathur as a contract labours. In the meanwhile, the petitioner said to have illegal relationship with defacto complainant's 2nd husband and the deceased had taken photo of the petitioner with one Health Inspector in whatsapp, enraged over that, the accused persons, who are sons of petitioner, at the instigation of her along with other accused, on 31.05.2024 around 01.00 hrs, near Kongaiamman Koil street, when the defacto complainant and her brother i.e. deceased were talking, the accused persons said to have surrounded her brother and



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attacked him with knife, thereby he sustained injuries on over head and chest and died on the spot and they have also assaulted his friend, who was also died in hospital on 02.06.2024. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that this is the second petition seeking for bail. He would submit that she has been falsely implicated in this case as if due to illegal intimacy, she instigated the other accused to kill the deceased. But, in fact, she has not at all committed any of offence as alleged by the respondent police and she is no way connected with the occurrence and she 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 74 days from 31.05.2024. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that the petitioner had developed illegal relationship with the husband of defacto complainant, due to which, there



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was a dispute between them, as a result of which, on the instigation of petitioner, she along with other accused have planned to kill defacto complainant's brother, who raised objection about illegal intimacy and at the instigation of her, other accused have surrounded him and attacked him with knife, thereby the defacto complainant's brother sustained injuries and died on the spot and his friend also sustained serious injury and died. So, it is the case of double murder. He would submit that totally there are 11 accused involved in this case, in which, the petitioner is arrayed as A4. He would submit that if she is released on bail, she 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, she had instigated other accused to commit the murder of defacto complainant's brother, who raised objection about the illegal intimacy and only at her instigation, she along with other accused have planned to kill him, as a result of which, they surrounded him along with his friend and assaulted them, thereby they sustained injuries and died and the fact that it is a case of double murder



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and the fact that investigation is still pending and at this stage, if she is released on bail, there is possibility of tampering the witnesses and hampering investigation and also the fact that 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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