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Crl.O.P.No. 20393 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 11.04.2024 for the alleged offence under Sections 294(b), 449, 302, 307, 506(ii) of I.P.C. in Crime No.216 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, on 10.04.2024 around 01.30 hrs., when the defacto complainant and his son were sleeping at their home, the petitioner along with other accused said to have trespassed into his house and attacked the deceased with deadly weapons on head, neck, stomach and legs, as a result of which, defacto complainant's son sustained multiple injuries all over the body and died. Hence, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioner submitted that this is fifth petition seeking for bail. He would submit that he has been falsely implicated in this case as if he committed murder of son of defacto complainant due to previous enmity, but, in fact, there is no specific overtact 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 Vijayakanth and as a revenge, the defacto complainant gave the present complaint before the police station. He would further submit that the petitioner has been falsely implicated in this case and he is suffering incarceration for more than 102 days from 11.04.2024. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that it is a revenge murder and there are three cases pending against him, in which one case for the offence under Sec.307 of I.P.C. is registered against him and he is arrayed as A1. With a previous motive, the petitioner along with other accused trespassed into the house of



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defacto complainant during night hours and attacked his son with deadly weapons, thereby he sustained multiple injuries all over the body and died and this petitioner is the main accused. He would submit that the defacto complainant is also sustained injury 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.

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, he is the main accused, due to previous enmity, this petitioner along with other accused entered into house of deceased on the date of occurrence, thereby, the defacto complainant also sustained grievous injury and and even this petitioner is having three criminal cases pending against him and he has actively participated in the offence, and considering the fact that as it is a revenge murder, which requires detailed investigation and and the fact that he is also having life threat and now charge sheet was filed in S.C.No. 132 of 2024 and also considering the fact



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that if he is released on bail, he may abscond and there is possibility of tampering the witnesses and hampering the 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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