



Crl.O.P.No. 20405 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 23.06.2024 for the alleged offence under Sections 302, 376(D), 201 r/w Sec.34 of I.P.C. in Crime No.280 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is a TATA Ace driver and on 13.11.2022 around 1.30 p.m., some boys informed him that a female body is floating in the water channel and on hearing this, he along with his friends went there and found the dead body floating without dress. Accordingly, he lodged a complaint against the petitioner.

3. The learned counsel for the petitioner submitted that this is the second petition seeking for bail. He would submit that he is working as Supervisor in Sakthivel hospital and he has not indulged in any of the act of



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committing murder along with other accused. He would further submit that he has been falsely implicated in this case as if he concealed the evidence of fact that lead to the occurrence of a murder and gang rape. In fact, after lapse of 1 ½ years, the respondent police implicated him as accused in this case in order to show some progress in the case and he has not at all committed any offence as alleged by the respondent police. He would submit that he is no way connected with the offence and he has been falsely implicated in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than 59 days from 23.06.2024. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that on the date of alleged occurrence, one woman in nude ran towards the hospital and subsequently, some persons came behind her and forcibly took her from the spot and as there was blood stains in the verandah of hospital, on the next morning, the petitioner washed the same through sweeper, thereby the girl said to have been committed murder, but the video footage with regard to the said incident



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was stored by this petitioner, but not informed the same to the police. If he would have informed the same to the police earlier, they would have seized the footage during the investigation itself and now they are taking steps to recover the video footage leading to the occurrence of a murder and gang rape. He would also submit that subsequently, the petitioner was secured only 1 ½ years later and now if he is released on bail, he will tamper the witnesses and hamper the investigation. 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 considering the gravity of offence committed by the petitioner, on the date of alleged occurrence, one woman in nude ran towards the hospital and subsequently, some persons came behind her and forcibly took her from the spot and as there was blood stains in the verandah of hospital, on the next morning, the petitioner washed the same through sweeper, thereby the girl said to have been committed murder, but the video footage with regard to the said incident was stored by this petitioner, but not informed the same to the police. If he would have informed the same to the police earlier, they would have seized the footage



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during the investigation itself and now they are taking steps to recover the video footage leading to the occurrence of a murder and gang rape and he was secured only 1 ½ years later and 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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