

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 23.04.2018
CORAM
THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN
Crl.A.Nos.122, 123, 124 and 125 of 2018

Karthikeyan @ Ramesh	.. Appellant in Crl.A.122/18
Janarthanan @ Jana	.. Appellant in Crl.A.123/18
Sivaraman @ Sivaramakrishnan	.. Appellant in Crl.A.124/18
Karthik @ Karthikeyan	.. Appellant in Crl.A.125/18

Vs

State rep. by
Inspector of Police,
Thirubuvanai Police Station,
Puducherry.
Cr.No.40/2017
Investigated by CBCID Police Station,
Puducherry. ... Respondent in all Crl.A.s

Crl.A.No.122 of 2018 : Criminal Appeal filed under Section 14(A)
(2) of SC/ST Act, 1989 against the dismissal of bail petition
preferred by the appellants herein by the learned Special Judge,
II Additional Sessions Judge, Puducherry in Crl.M.P.No.14 of
2018 in S.C.No.33 of 2017 dated 30.01.2018.

Crl.A.No.123 of 2018 : Criminal Appeal filed under Section 14(A)
(2) of SC/ST Act, 1989 against the dismissal of bail petition
preferred by the appellants herein by the learned Special Judge,
II Additional Sessions Judge, Puducherry in Crl.M.P.No.13 of
2018 in S.C.No.33 of 2017 dated 30.01.2018.

Crl.A.No.124 of 2018 : Criminal Appeal filed under Section 14(A)
(2) of SC/ST Act, 1989 against the dismissal of bail petition
preferred by the appellants herein by the learned Special Judge,
II Additional Sessions Judge, Puducherry in Crl.M.P.No.12 of
2018 in S.C.No.33 of 2017 dated 30.01.2018.

Crl.A.No.125 of 2018 : Criminal Appeal filed under Section 14(A)
(2) of SC/ST Act, 1989 against the dismissal of bail petition
preferred by the appellants herein by the learned Special Judge,
II Additional Sessions Judge, Puducherry in Crl.M.P.No.15 of
2018 in S.C.No.33 of 2017 dated 30.01.2018.

For Appellants	:	Mr.Swami Subramanian
in all Crl.A.s		
For Respondent	:	Mr.D.Bharatha Chakravarthy
in all Crl.A.s		Public Prosecutor [Pondy]

C O M M O N J U D G M E N T

These Criminal Appeals are directed against the order of dismissal of bail application filed by A4, A6, A5 and A7 by the learned Special Judge, II Additional Sessions Judge, Puducherry in Crl.M.P.Nos.14, 13,12 and 15 of 2018 respectively in S.C.No.33 of 2017 dated 30.01.2018.

2.The appellants along with other accused are alleged to have murdered Velazhagan by hurling country made bomb on 19.04.2017 in Puducherry. Due to professional grudge with the deceased, A1 along with other accused conspired and murdered the deceased.

3.Learned counsel appearing for the appellants argued that co-accused A1 to A3 and A8 have already been released on bail, that the appellants have been in custody in this case for the past 1 year, that they are having permanent residence and therefore, they may be released on bail by setting aside the order dated 30.03.2018, passed by the learned II Additional Sessions Judge, Puducherry in Crl.M.P.Nos.12 to 15 of 2018 in S.C.No.33 of 2017.

4.Learned Public Prosecutor strenuously argued that except A4, all other appellants are having previous cases and particularly, A6 is having 29 previous cases and objected for release of the accused on bail. However, he concedes that co-accused had already been enlarged on bail and these appellants have been in custody for the past about 1 year. He also concedes that charge sheet has been laid in this case and the case is now posted for framing of charges.

5.Considering the duration of custody of the appellants, release of co-accused including the prime accused/A1 on bail, the fact that the appellants are having permanent residence and also the facts and circumstances of the case, this Court is inclined to enlarge the appellants on bail.

6.In the result, these Criminal Appeals are allowed and the order dated 30.01.2018, passed by the learned II Additional Sessions Judge, Puducherry in Crl.M.P.Nos.12 to 15 of 2018 in S.C.No.33 of 2017 are set aside and the appellants are enlarged on bail on executing separate bond for a sum of Rs.10,000/- [Rupees ten thousand only] with two sureties each for a like sum to the satisfaction of the learned Special Judge, II Additional Sessions Judge, Puducherry and on further condition that the appellants shall stay at Karaikal and appear before the learned Judicial Magistrate-I, Karikal, daily at 10.00 a.m for one month. The appellants are directed to appear before the trial Court on all hearing dates without fail. The trial Court is

directed to dispose of S.C.No.33 of 2017 within 3 months from the date of receipt of a copy of this order and report the same to the Registry without fail.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gya

To

1.II Additional Sessions Judge
Puducherry.

2.The Judicial Magistrate I
Karaikal

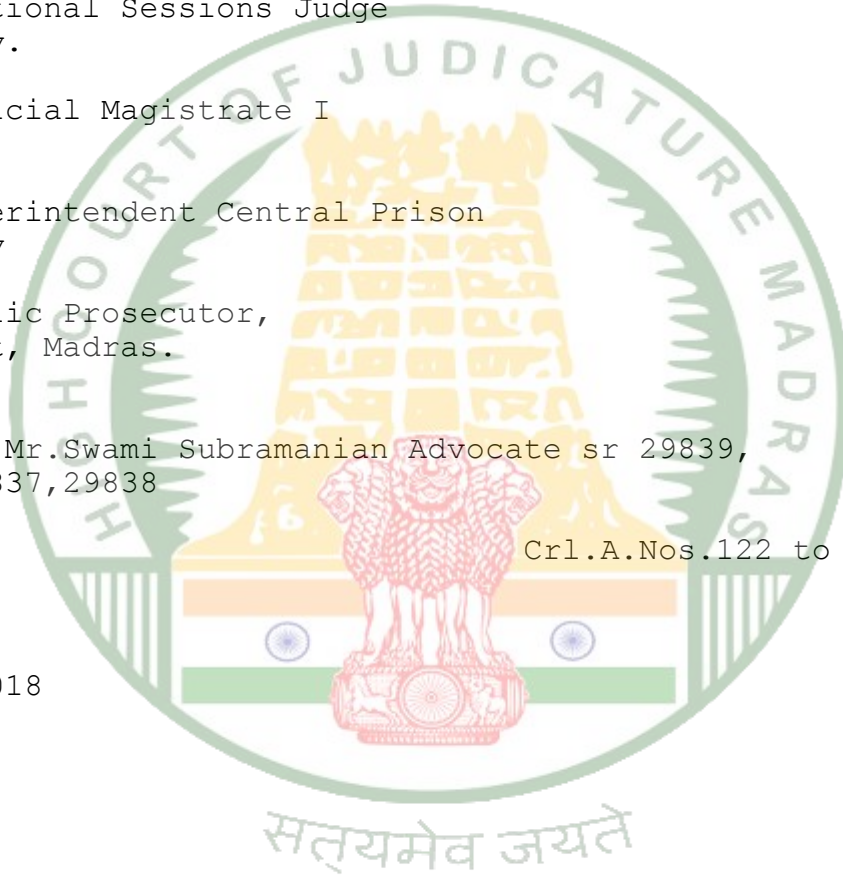
3.The Superintendent Central Prison
Puducherry

4.The Public Prosecutor,
High Court, Madras.

+4 ccs to Mr.Swami Subramanian Advocate sr 29839,
29836, 29837,29838

Cr1.A.Nos.122 to 125 of 2018

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