

**CrI.O.P.No.22577 of 2022****G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 05.12.2021 for the offences punishable under Sections 120B, 109, 147, 148, 341, 302 of IPC and Sections 3, 4 of Explosive Substances Act 1908 read with Sections 301, 149 of IPC, in Crime No.185 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.10.2021, due to previous enmity, the petitioner and other accused persons conspired together and with a common object way laded the deceased and his friend and assaulted them with deadly weapons like Veecharuval country made bomb and murdered them. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the deceased is a History Sheeter and he had enmity with other rowdy elements. He further submitted that the petitioner was arrested and remanded to judicial custody from 05.12.2021 and incarcerated for the past 10 months. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor (Pondy) submitted that this



is the second bail petition and the earlier petition filed by the petitioner was dismissed as withdrawn on 22.06.2022. He further submitted that totally there are 31 accused persons and the petitioner is arrayed as 25. The specific overtact as against the petitioner is that he made all the arrangements for the commission of murder and he supplied all the weapons to other accused persons. Further, the bail petition filed by the co-accused in CrI.O.P.No.19418 of 2022 has been dismissed by this Court by an order dated 24.08.2022. If the petitioner released on bail, he would tamper the witnesses and hamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner had committed very serious and heinous offence as against general public. Further this Court had already dismissed the earlier bail petition and there is no change of circumstances to consider the present bail petition. Taking consideration of the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

28.09.2022

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