



Crl.O.P.No.24688 of 2022

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A.D.JAGADISH CHANDIRA, J.

This criminal original petition has been filed seeking to enlarge the petitioner on bail in respect of Crime No.185 of 2021, on the file of the respondent Police.

2. The case of the prosecution is that due to previous enmity, the petitioner conspired with one Dheena instigated the other accused persons, pursuant to which, they unlawfully assembled with a common object, waylaid the de-facto complainant's son and his friend and hurled country made bomb and assaulted them with deadly weapon and committed murder on them. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A1 in this case. He would further submit that during the relevant period of time, the petitioner was in prison and his name has been implicated in this case only based on the confession



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statement recorded from the the arrested accused. He would further submit that the petitioner is nothing to do with the alleged offence. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Public Prosecutor (Puducherry) appearing for the respondent police would submit that the petitioner is an habitual offender involved in several cases and he has got 4 murder cases to his credit. He would further submit that while the petitioner was in prison, he had conspired with the other accused by communicating with them through mobile phone from prison and only on his instigation the offence has been committed. He would also state that the co-accused in this case has been moved the bail application before this Court and this Court had dismissed the same and directed the trial Court to complete the trial as expeditiously as possible. He would also submit that if the petitioner is released on bail, there is every possibility of the petitioner threatening the witnesses and hampering trial. Therefore, he vehemently oppose to grant bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned Public Prosecutor (Puducherry) and also taking note of the previous antecedence including four murder cases to his credit, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Court is directed to complete the trial as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order.

12.10.2022

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