



Crl.O.P.No.24604 of 2022

Crl.O.P.No.24604 of 2022

WEB COPY

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 registered for the offence under Sections 120B, 109, 147, 148, 341, 302 IPC and Section 3, 4 of Explosive Substances Act, 1908 r/w 149 IPC, on the file of the respondent Police.

2. The case of the prosecution is that due to previous enmity, the first accused conspired with one Dheena instigated the petitioner and 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 A5 in this case. He would further submit the petitioner is an innocent person and he has been falsely implicated in



CrI.O.P.No.24604 of 2022

this case. 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 and there are about 20 cases pending as against the petitioner including two murder cases. He would further submit that the petitioner conspired with the other accused has committed the offence. He would also state that the co-accused in this case has moved the bail application in CrI.O.P.No.24688 of 2022 before this Court and this Court by an order dated 12.10.2022, had dismissed the same and directed the trial Court to complete the trial as expeditiously as possible, preferably within a period of 6 months from the date of receipt of a copy of that order. 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.



Crl.O.P.No.24604 of 2022

WEB COPY

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 of the petitioner including two 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 Judge shall take sincere efforts in an endeavour to complete within a period of 6 months as mentioned in Crl.O.P.No.24688 of 2022 dated 12.04.2022.

14.10.2022

ham

A.D.JAGADISH CHANDIRA, J.

Page 3 of 4



WEB COPY



Crl.O.P.No.24604 of 2022

ham

Crl.O.P.No.24604 of 2022

14.10.2022