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CrI.O.P.No. 25496 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.10.2021 for the alleged offence under Sections 120-B, 109, 147, 148, 341, 302 I.P.C. and 3, 4 of Explosive Substances Act in Crime No.185 of 2021 on the file of the respondent police and a charge sheet filed in P.R.C.No.1 of 2022 and thereafter the PRC committal to S.C.No. 58 of 2022 on the file of learned III Addl. District Judge, Puducherry, seeks bail.

2. The case of the prosecution is that on 24.10.2021 at about 16.30 hrs. the petitioner along with 8 named accused and some other 23 persons said to have waylaid son of defacto complainant and attacked him and also thrown bomb on him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the offence. He would further submit that the



Crl.O.P.No. 25496 of 2022

WEB COPY

investigation is almost completed and that the petitioner has been suffering incarceration for more than a year from 24.10.2021. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that this is not the case under Unlawful Activities (Prevention) Act, 1967 and that NIA has to take over the investigation of the case, but Puducherry police themselves have completed the investigation and filed a final report. He would also submit that 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, and also considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, though time for a period



CrI.O.P.No. 25496 of 2022

of six months is granted by this court to dispose the case, so far, the case was not disposed of. Hence, this court is inclined to grant six more months to dispose the case finally, since the accused are in jail. If at all, the trial court is kept vacant, the learned Chief Judge of Puducherry is directed to post the matter to the Presiding Officer, who is incharge of the said court and dispose the case within a period of six months from the date of receipt of copy of this order.

07.12.2022

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Crl.O.P.No. 25496 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 25496 of 2022

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