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Crl.O.P.No.1861 of 2023

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T.V.THAMILSELVI, 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 and 302 (2 counts) of IPC and 3,4 of Explosive Substance Act 1908 read with 301 and 149 of IPC, in Crime No.185 of 2021, 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 commit any offence as alleged by the prosecution. He further submitted that the deceased is a History Sheeter and he had



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enmity with other rowdy elements. He further submitted that the petitioner was arrested and remanded to judicial custody on 05.12.2021 and incarcerated for the past one year. Therefore, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor, Puducherry submitted that this is the second bail petition filed by the petitioner and the earlier petition filed by the petitioner was dismissed as withdrawn on 22.06.2022.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 29. 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 Crl.O.P.No.25496 of 2022 has been dismissed by this Court by an order dated 07.12.2022. 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



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heinous offence as general public. Further this Court already dismissed the earlier bail petition and there is no change in 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. This Criminal Original Petition stands dismissed accordingly.

30.01.2023

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