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Crl.O.P.No.10042 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 24.10.2021, in connection with Crime No.185 of 2021, registered for the offences punishable under Sections 120(b), 109, 147, 148, 341, 302 of IPC r/w Sections 3 & 4 of Explosive Substances Act, 1908 r/w 149 IPC, on the file of the respondent police, 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 23 some other persons said to have waylaid the son of de-facto complainant and attacked him and also hurled bomb on him. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that this is the sixth application for bail filed by the petitioner before this Court and this Court, had dismissed the earlier bail applications filed in



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Crl.O.P.Nos.14360, 26374, 30466, 32013 of 2022 & 7660 of 2023. He further submitted that this Court, while dismissing the bail application on 05.01.2023, had directed the Presiding Officer, who is in-charge, to complete the trial and dispose the case as early as possible and despite the lapse of three months, the trial was not completed. Thereafter, the petitioner has moved a bail application in Crl.O.P.No.7660 of 2023 and this Court, while dismissing the application on 12.04.2023, had directed the trial Court to complete the trial as expeditiously as possible, on a day to day basis, however, the trial has not been completed, therefore, the present application has been filed by the petitioner. He also submitted that one of the accused (A20) in this case has been enlarged on bail. Hence, he seeks for grant of bail to the petitioner.

4. Learned Additional Public Prosecutor (Puducherry) appearing for the respondent police submitted that this is the case of double murder and this is the sixth bail application of the petitioner. He further submitted that this Court, on 12.04.2023, while dismissing the earlier application for bail, had directed the trial Court to complete the



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trial in S.C.No.58 of 2022, pending on the file of the learned III Additional District Judge, Puducherry, as expeditiously as possible, on a day to day basis, thereby, there had been a speedy progress in the trial and as on today, 49 witnesses have been examined in this case. He also submitted that the trial has been proceeded almost on a day to day basis and also, there is a possibility of dispensing with some of the witnesses, thereby, the trial would be completed very soon. He further submitted that as far as A20 is concerned, she is a lady and further, she has not been granted bail on merits, whereas, she has been granted bail on considering her age and on medical grounds. Hence, he seeks for dismissal of the petition.

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

6. Taking into consideration the facts and circumstances of the case, submissions made by the learned counsel on either side, taking note



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of the fact that it is the case of double murder and also considering that the petitioner and other accused are notorious elements and none of the accused has been granted bail so far on merits, this Court is not inclined to grant bail to this petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

However, the trial Court is directed to comply with the earlier directions passed by this Court.

12.06.2023

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