



Crl.OP.No.11667 of 2023

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A.A.NAKKIRAN,J.

The petitioner who was arrested and remanded to judicial custody on 05.12.2021 for the offences under Sections 120(B), 109, 143, 147, 148, 341, 302 of I.P.C. and 3, 4 of Explosive Substances Act, 1908, r/w 301, 149, I.P.C., in Crime No.185 of 2021, on the file of the respondent police, pending trial in S.C.No.58 of 2022 on the file of the learned III Additional Sessions Judge, Puducherry, seeks bail.

2. The case of prosecution is that on 24.10.2021 at 14.30 hrs, at Rajarajan Street, Vanarapet, Puducherry, due to previous enmity, A1 along with other accused persons formed themselves into an unlawful assembly with a common object, waylaid the defacto complainant's son Sathish @ Bomb Ravi and his friend hurried country made bomb and also assaulted them with deadly weapons and murdered his son. Hence, the complaint.

3. The learned counsel appearing for petitioner submitted that this is the fourth petition seeking for bail and he is no way connected with the



Crl.OP.No.11667 of 2023

offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been falsely implicated in this case and he will abide by any condition imposed by this court. He would also submit that the petitioner has been suffering incarceration from 05.12.2021. He would submit that co-accused was released on bail and inspite of specific directions given by this Court, no witnesses was examined by the trial Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor (Puducherry) appearing for respondent would submit that totally there are 31 accused involved in this case and the petitioner is arrayed as A28. He would submit that this is the fourth petition seeking for bail and he has involved in double murder case. He would submit that now the trial has begin and 30 witnesses were examined and 48 witnesses are yet to be examined. He would submit that if the petitioner is released on bail, he would hamper the investigation and tamper the witnesses and also the trial would be stalled. Hence, he would vehemently opposed to grant bail to the petitioner.



Crl.OP.No.11667 of 2023

5. Considering the facts and circumstances of the case and also that there is no change of circumstance, this Court is not inclined to grant bail to the petitioner. However, in view of the non-compliance of the earlier order of this Court dated 19.04.2023, passed in Crl.O.P.No.5904 of 2023, this Court directs the trial Court to complete the trial and dispose the case, as expeditiously as possible.

6. Accordingly, this Criminal Original Petition is dismissed.

18.05.2023

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Crl.OP.No.11667 of 2023

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Crl.OP.No.11667 of 2023

18.05.2023