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Crl.O.P.No.13962 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 08.05.2022 for the offences under Sections 363, 365, 457, 380 of IPC and later, altered to one under Sections 302, 120(b), 457, 392, 302(2counts), 201 of IPC, in Crime No.201 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons had committed double murder for gain. Hence the case.

3. Learned counsel appearing for the petitioner submitted that this is the second application for bail filed by the petitioner and since, the petitioner was detained under Goondas, this Court had closed the earlier bail application in Crl.O.P.No.28572 of 2022 vide order dated 22.11.2022. He further submitted that this Court, by an order dated



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05.06.2023 in H.C.P.No.1640 of 2022 has set aside the detention order passed against the petitioner. He also submitted that the petitioner is in custody from 08.05.2022, thereby, he seeks for bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that it is the case, where, the petitioner (A2) along with other accused had committed double murder for gain. He further submitted that the investigation in this case has been completed and the case has also been taken up for trial in S.C.No.430 of 2022 pending on the file of the learned IV Additional Session Court, Chennai. He further submitted that there are 64 witnesses in this case and so far, 35 witnesses have been examined and the case, and the case, now stands posted on 30.06.2023, for cross examination of PW2 to PW6, hence, he object for grant of bail. He further submitted that the respondent would be able to complete the trial within a period of three months. Hence, he prayed for dismissal of the petition.



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5. Learned counsel Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) 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 Government Advocate (Crl.Side) that 30 more witnesses are yet to be examined in this case and taking note of the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

7. At this juncture, the learned counsel for the petitioner submitted that though there are many arguable points available for bail and also for defence in this case, he is not pressing this application now, however, he seeks that a direction may be issued to the trial Court to complete the trial at the earliest.



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8. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to complete the trial as expeditiously as possible, preferably, within a period of four months from today.

26.06.2023

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Note : Issue order copy today (27.06.2023)



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