



Crl.OP.No.26123 of 2023

Crl.O.P.No. 26123 of 2023

WEB CO **G.K.ILANTHIRAIYAN, J.**

The petitioner, who was arrested and remanded to judicial custody on 23.12.2021 for the offences punishable under Sections 120B, 109, 147, 148, 341, 302 of IPC and Sections 3 & 4 of the Explosives Act, r/w Section 149 of IPC, in Crime No.185 of 2021 on the file of the respondent police, 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-lade the deceased and his friend and assaulted them with deadly weapons like Veecharuval and country made bomb and murdered them. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that petitioner has not committed any offence as alleged by the prosecution. The deceased is a history sheeter and he had enmity with other rowdy elements. The petitioner was arrested and remanded to judicial custody on 23.12.2021. He further submitted that the prosecution had examined all the witnesses except the Investigating



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Officer. Though this Court specifically directed the Trial Court to complete the trial within a period of six months, even then, the Trial Court has not yet completed the trial. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that this is the third bail petition filed by the petitioner. Earlier, this Court had dismissed the bail petitions filed by the petitioner in Crl.O.P.No.8073 of 2022 and 10986 of 2023 dated 13.04.2022 & 22.06.2023 respectively. He further submitted that if the petitioner is released on bail, he would tamper the witnesses and hamper the evidence. Hence, he vehemently opposed to grant bail to the petitioner.

5. A perusal of the records reveals that all the witnesses had already been examined. The case is posted for examination of Investigating Officer, though some of the witnesses turned hostile. It cannot be a ground for grant of bail to the petitioner, since the petitioner had committed very serious grievous offence. Further, this Court already dismissed the earlier bail petitions and there is no change of circumstances to consider the present bail petition. Taking into



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consideration all the above facts and circumstances of the case, this

Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

22.11.2023

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