



CrI.O.P.No. 4780 of 2024

WEB COPY

CrI.O.P.No. 4780 of 2024

T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 05.12.2021 for the offences under **Sections 109, 143, 147, 148, 149, 341 and 302 of I.P.C. and Sec.3 of Explosive Substances Act, 1908**, 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 District 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, thereby assaulted him with country made bomb and also with deadly weapons and committed murder of his son. Hence, the complaint.



CrI.O.P.No. 4780 of 2024

WEB COPY

3. The learned counsel appearing for petitioner submitted that this is the fourth petition seeking for bail and he is in judicial custody for more than two years two months. He would submit that he is no way connected with the offence and his name was not found in the F.I.R. He would submit that he has not committed any of offence as alleged by the respondent police and there is no specific overtact attributed against the petitioner. The learned counsel would also submit that now the trial was begun and the case is posted for examination of I.O., but however for the past two months, the concerned I.O. is not appearing before the trial court. Hence, he prayed to grant bail to the petitioner.

4. The learned Public Prosecutor (Pudy.) appearing for respondent would submit that totally, there are 31 accused involved in this case and the petitioner is arrayed as A29. He would submit that this is the third petition seeking for bail and he has involved in a double murder case. He would submit that now the case is posted for examination of I.O. and the trial would be completed within three months. He would submit that all the accused are in judicial custody and nobody was released on bail. He would submit that if he is released on bail, he would hamper the investigation and



CrI.O.P.No. 4780 of 2024

WEB COPY tamper the witnesses and also the trial would be stalled. Hence, he would vehemently opposed to grant bail to the petitioner.

5. Considering the fact that all the accused are in judicial custody and nobody was released on bail and now the case is posted for examination of I.O., but inspite of direction of this court, the concerned I.O. has not appeared before the trial court, due to which the trial was dragged on and also the fact that at this stage, if the petitioner is released on bail, he would hamper the investigation and tamper the witnesses and the trial proceedings also would be stalled, this Criminal Original Petition is dismissed. However, since the accused is in custody for the past two years, the concerned I.O. is directed to appear before the trial court and cooperate with the trial proceedings within a period of two weeks from the date of receipt of copy of this order. The trial court is also directed to complete the trial and dispose the case within a period of three months.

28.02.2024

rpp



WEB COPY



Crl.O.P.No. 4780 of 2024

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 4780 of 2024

28.02.2024