



Crl.O.P.No.27947 of 2024

A.D.JAGADISH CHANDIRA, J.

This Criminal Original Petition has been filed by the petitioner/A3, who was arrested and remanded to judicial custody on 27.08.2024, seeking bail in Crime No.117 of 2024 for the alleged offences punishable under Sections 191(2), 191(3), 296(b), 126(2), 118(1), 351(3) r/w 190 BNS and later altered into Sections 109, 311 of BNS.

2. The case of the prosecution is that the accused, who were joined together and unlawfully assembled with deadly weapons, waylaid the de facto complainant's brother and his friend, who were coming in a motor cycle, abused them in filthy language and brutally assaulted them, causing severe injuries to them. Further, the accused had threatened the victims with dire consequences and by stealing victims' phones, cash and a silver chain, escaped from the spot. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, since he



happens to be the friend of other accused. He further submitted that the petitioner has been suffering incarceration from 27.08.2024 and hence, he prayed for grant of bail to the petitioner stating that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Learned Public Prosecutor (Puducherry) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that the petitioner/A3, who is a part of a notorious gang, along with other accused had brutally assaulted the de facto complainant's brother and his friends with knife, due to which, the de facto complainant's brother sustained grievous injuries and due to critical stage, his right side leg up to thigh was amputated, thereby, he is still undergoing treatment in Intensive Care Unit at PIMS Hospital, Puducherry and other injured persons were discharged. He further submitted that some of the accused are still absconding and the investigation in this case is in preliminary stage. He also submitted one previous case is pending against the petitioner. Therefore, if the petitioner is released on bail, there is every possibility of him absconding and not available for further investigation.

5. Heard both sides and perused the materials available on record including



the Counter filed by the respondent Police.

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6. Taking into consideration the facts and the submissions made by the learned Public Prosecutor (Puducherry) that the case is under investigation and two other accused are yet to be arrested and also considering the grave nature of the offence committed by the accused, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

08.11.2024

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