



CrI.O.P.No. 28581 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 25.10.2021 for the alleged offence under Sections 120-B, 109, 147, 148, 341, 302 (2 counts) of I.P.C. and Sections 3 and 4 of Explosive Substances Act read with Sec.301 and 149 of I.P.C. in Crime No.185 of 2021 on the file of the respondent police and a charge sheet filed in P.R.C.No.1 of 2022 and thereafter the PRC committal to S.C.No. 58 of 2022 on the file of learned III Addl. Sessions Judge, Puducherry, seeks bail.

2. The case of the prosecution is that on 24.10.2021 at about 16.30 hrs. the petitioner along with 8 named accused and some other 23 persons said to have waylaid son of defacto complainant and attacked him and also thrown bomb on him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he has not at all committed any offence as alleged by the respondent police and he is no



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way connected with the offence. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration for more than 2 years two months from 24.10.2021 and this is fifth bail petition. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that this is not the case under Unlawful Activities (Prevention) Act, 1967 and that NIA has to take over the investigation of the case, but Puducherry police themselves have completed the investigation and filed a final report and the case is at the stage of I.O. He would also submit that if he is released on bail, he will tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner, and also considering the fact that the case is at the stage of I.O. and if he is released on bail, there is possibility of



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tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial judge is directed to complete the trial and dispose the case as early as possible within a period of three months from the date of receipt of copy of this order without giving unnecessary adjournment, since because the accused is in judicial custody for more than two years and two months.

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