

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 20TH DAY OF DECEMBER 2013/29TH AGRAHAYANA, 1935

Bail Appl..No. 8635 of 2013 (D)

**[CRIME NO. 1637/2013 OF KANNUR TOWN POLICE STATION,
KANNUR DISTRICT]**

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PETITIONER/ACCUSED NO.90:

**P.P.SAJEEVAN,
S/O.KUNJI RAMAN,AGED 41 YEARS,
PUTHIYAPURAYIL, P.O.MALLOOR.**

BY ADV. SRI.I.V.PRAMOD.

RESPONDENT/COMPLAINANT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN- 682 031.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-12-2013, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Prv.

K. HARILAL, J.

B.A. No.8635 of 2013

Dated this the 20th day of December, 2013

ORDER

The petitioner is the accused No.90 in Crime No. 1637 of 2013 of Kannur Town Police Station. The above crime is registered, against the petitioner and 110 other accused for the offences alleging commission of the offences punishable under Section 120B,143, 147,148, 341, 353, 332, 324, 307 read with 149 of Indian Penal code and Section 31(1) of PDPP Act.

2. The prosecution allegation is that on 27/10/2013, the Chief Minister of Kerala was attacked by a group of 2000 persons and attempted to kill him by pelting stones and throwing iron rod to the Innova car in which he was traveled. It is alleged that the petitioner also was there near the place of incident. The petitioner was arrested on 15/12/2013.

3. The learned counsel for the petitioner submits that the petitioner has not committed the offence as alleged by the prosecution and he he has been falsely

implicated in the said offence without proper investigation. He is ready and willing to co-operate with the investigation and also to abide any condition this court deems fit to be imposed.

4. The Public Prosecutor submits that the petitioner is implicated on the basis of the evidence collected by the police and the police has sufficient materials to prove the act alleged against him. If the petitioner is released on bail he may influence the witnesses of the case and also may tamper with the evidence of the case and his presence , as and when required, is highly essential for proper further investigation.

5. It is also admitted that more than eighty accused were arrested and later released on bail on sufficient conditions.

Considering the facts and circumstances of the case it is felt that the continued custody of the petitioner is unnecessary. Therefore the application is allowed on the following conditions.

1. The petitioner shall be released on bail, on execution of a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Judicial First Class Magistrate Court- I, Kannur and subject to the following conditions.

a) One of the sureties shall be a close relatives of the petitioner.

b) Petitioner shall report to the Investigating Officer on every Saturday between 8:00am and 9:00am until filing of the final report.

c) Petitioner shall report to the Investigating Officer as and when required for interrogation.

d) Petitioner shall not get involved in any offence during the period of this bail.

e) It is made clear that in case, any of the above condition is violated, it is open to the Investigating Officer to seek cancellation of the bail granted hereby, by moving application before the learned magistrate (until committal if any and thereafter before the learned Sessions Judge

concerned) as held in **P.K.Shaji V.State of Kerala** (AIR 2006 Supreme Court 100).

Sd/-

**K.HARILAL
JUDGE**

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P.A. to Judge

MJL