

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936**

**Bail Appl..No. 427 of 2015**  
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**CRIME NO. 582/2013 OF CHAKKARAKKAD POLICE STATION, KANNUR DISTRICT.**  
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**PETITIONER(S)/ACCUSED NO. 5 & 6:**  
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- 1. VIPIN V., AGED 25 YEARS,  
S/O.PAVITHRAN, NAVYA NIVAS,  
ANJARAKKANDY AMSOM, PALAYAM,  
MAMBA P.O., KANNUR DISTRICT.**
- 2. RIJIL, AGED 24 YEARS,  
S/O.LATE PRAKASHAN,  
KALLUKUNNUMMAL HOUSE, PARIYARAM,  
BAVODE P.O., KANNUR DISTRICT.**

**BY ADVS.SRI.V.BINOY RAM  
SRI.P.PREMARAJAN**

**RESPONDENT/COMPLAINANT:**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**mbr/**

**B. KEMAL PASHA, J.**

.....  
B.A. No.427 of 2015  
.....

*Dated this the 27<sup>th</sup> day of January, 2015*

**ORDER**

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Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.5 and 6 in Crime No.582/2013 of Chakkarakkal Police Station registered for the offences punishable under Sections 143, 147, 148, 448 and 427 read with Section 149 IPC and Sections 3 and 5 of the Explosive Substances Act.

3. The allegation against the petitioners and other accused is that on 05.07.2013 at 3.10 a.m., they formed themselves into an unlawful assembly, armed with deadly weapons and explosive substances, and they smashed and destroyed a library by using weapons and also by hurling bombs thereby causing explosion. The petitioners have been in custody for the period from 18.12.2014 onwards.

4. Heard learned counsel for the petitioners and the

learned Public Prosecutor.

5. It seems that the investigation is practically over. No criminal antecedents have been reported against the petitioners. It is true that some of the accused are yet to be identified and arrested. But, the same cannot stand in the way of enlarging these petitioners on bail. Having regard to the period undergone by the petitioners in custody and the present stage of investigation, and the facts and circumstances of the case, I am satisfied that the petitioners can be enlarged on bail on conditions.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on each of them executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

*(i) The petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays commencing from 03.02.2015 for a period of six months.*

*(ii) The petitioners shall not tamper with the evidence or influence witnesses.*

*(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.*

*(iv) The petitioners shall not involve in any offence while on bail.*

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/27/01

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*PA to Judge*