

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Bail Appl..No. 565 of 2015

CRIME NO. 1586/2014 OF PAYYANNUR POLICE STATION , KANNUR DISTRICT

PETITIONER(S)/ACCUSED NO.1, 3 AND 5 :

- 1. RINEESH.N.P, AGED 26 YEARS,
S/O.GANGADHARAN, NADUVILE PURAYIL HOUSE,
RAMANTHALI AMSOM, KAKKAMPARA, KANNUR DISTRICT.**
- 2. VIJILESH.A, AGED 24 YEARS,
S/O.BALAKRISHNAN.P, ARAMBAN HOUSE, RAMANTHALI AMSOM,
KAKKAMPARA, KANNUR DISTRICT.**
- 3. NAIJU.K, AGED 21 YEARS,
S/O.RAMESAN.M, KOYYODAN HOUSE, CHITTADI,
RAMANTHALI AMSOM, KAKKAMPARA, KANNUR DISTRICT.**

BY ADV. SRI.M.V.AMARESAN

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

.....
B.A. No. 565 of 2015
.....

Dated this the 16th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A1, A3 and A5 respectively in Crime No.1586/2014 of the Payyanur Police Station, Kannur registered for the offences punishable under Sections 143, 147, 148, 447 and 436 read with Section 34 of the Indian Penal Code and Sections 3 and 5 of the Explosive Substance Act.

3. The allegations against the petitioners and the other accused is that on 11.12.2014 at 00.45 hours they trespassed into the courtyard of the house of the defacto complainant and hurled bombs on the wall in front of the house thereby causing explosions, which has resulted in a

wrongful loss of ₹25,000/- to the defacto complainant. The petitioners have been in custody for the period from 17.12.2014 onwards.

4. Heard learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor has opposed the petition. Perused the CD.

5. The contents of the CD reveal that the investigation of this case is practically over. It is true that the allegations against the petitioners are very grave and serious. Continued detention of the petitioners in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioners in custody, this court is of the view that the petitioners can be enlarged on bail, on strict conditions, and also by making a provision for compensating the loss sustained to the defacto complainant.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on their executing a

bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each 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) Each of the petitioners shall deposit an amount of ₹8,500/- (Rupees eight thousand five hundred only) before the court below.

(ii) The petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Mondays and Thursdays commencing from 23.02.2015 for a period of six months.

(iii) Except for observing condition No.(ii) above, the petitioners shall not enter Kannur District for a period of six months from today.

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

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

(vi) 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

ul/-

[True copy]

P.S. to Judge