

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

Bail Appl.No. 567 of 2015

CRIME NO. 1127/2014 OF PANUR POLICE STATION, KANNUR
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PETITIONER(S)/ACCUSED NO.3:

**SARIJ C., AGED 30 YEARS,
S/O.RAJAN, SARIJ NIVAS, P.O.MUTHIYANGA,
MOKERI AMSOM, VALLIYAYI DESOM, KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
06-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

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B.A. No.567 of 2015

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Dated this the 6th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1127 of 2014 of the Panoor Police Station, registered for the offences punishable under Sections 3 and 5 of the Explosive Substances Act.

3. The allegation against the petitioner and the other accused is that during a scuffle between the sympathizers of two political parties, they, on 04.12.2014 at 11.30 p.m., hurled bombs on the road and caused severe explosions. The petitioner has been in custody for the period from 12.12.2014 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. The contents of the CD *prima facie* reveal the complicity of the petitioner. At the same time, no criminal antecedents have been reported against the petitioner. It seems that the investigation of this case, as far as the petitioner is concerned, is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody and the absence of any criminal antecedents on his part, I am of the view that the petitioner can be enlarged on bail on stringent conditions.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹50,000/- (Rupees fifty 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) Petitioner shall report before the

Investigating Officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from 13.02.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter Kannur district for a period of six months from today.

(iii) Petitioner shall not tamper with the evidence or influence witnesses.

(iv) Petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) Petitioner 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

DSV/6/2/15

// True Copy //

PA to Judge