

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

Bail Appl..No. 1189 of 2015 ()

**CRIME NO. 842/2014 OF CHOKLI POLICE STATION,
KANNUR DISTRICT**

PETITIONERS/ACCUSED NOS. 8 AND 10 :

- 1. RAJEESH V.P., AGED 29 YEARS,
S/O.RAGHAVAN, VATHUKKAL PARAMBATH, OLAVILAM P.O.,
THALASSERY TALUK, KANNUR DISTRICT.**
- 2. MANOHARAN, AGED 46 YEARS,
S/O.CHATHU, KUYYA KANDIYIL, OLAVILAM P.O.,
THALASSERY TALUK, KANNUR DISTRICT**

BY ADV. SRI.P.N.SUKUMARAN

RESPONDENTS :

- 1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
CHOKLI POLICE STATION, KANNUR DISTRICT.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

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B.A. No. 1189 of 2015

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Dated this the 6th day of March, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos. 8 and 9 respectively, in Crime No.842/2014 of Chokli Police Station registered for the offences punishable under Sections 143, 147, 148, 448, 427 and 506 read with Section 149 of the Indian Penal Code and Sections 3 and 5 of Explosive Substances Act.

3. The allegation against the petitioners is that on 29.9.2014 at 2.45 a.m., they along with the other accused formed themselves into an unlawful assembly armed with deadly weapons, committed rioting and rioting armed with deadly weapons and smashed the glass of the window panes, destroyed the aquarium, sofa, plastic chairs etc. of the house of the de-facto complainant and also the flower pots, thereby causing a wrongful loss of ₹25,000/- to the de-facto complainant. It is also alleged that they

had hurled a steel bomb on the road in front of the house of the de-facto complainant, thereby causing an explosion. The petitioners have surrendered on 9.1.2015, and thereafter, they have been in custody.

4. Heard learned counsel for the petitioners and the learned Public Prosecutor. No criminal antecedents have been reported against the petitioners. It seems that the investigation, as far as the petitioners are concerned, is practically over. Continued detention of the petitioners in custody is not required for the continued investigation of the case. Considering all the above, I am satisfied that the petitioners can be enlarged on bail.

5. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on each of them 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) Each of the petitioners shall deposit an amount of ₹3,000/- before the court below.

(ii) The petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays, commencing from 13.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(iii) Except for observing the condition No.(ii) above, the petitioners shall not enter the local limits of Chokli Police Station for a period of six months.

(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

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