

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

Bail Appl..No. 1974 of 2015 ()

CRIME NO. 261/2015 OF PERINGOME POLICE STATION,KANNUR DISTRICT

PETITIONER/1ST ACCUSED :

**BHARGAVAN,S/O.KUNHIRAMAN, AGED 52 YEARS,
NALUPURAPPATTIL HOUSE, ERAMAM AMASOM,
THUMBATHADAM, KANNUR DISTRICT.**

**BY ADVS.SRI.I.V.PRAMOD
SRI.S.U.NAZAR**

RESPONDENT/COMPLAINANT/STATE :

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

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B. KEMAL PASHA, J.

.....
B.A. No.1974 of 2015
.....

Dated this the 8th day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.261/2015 of Peringome Police Station registered for the offences punishable under Sections 3 and 5 of the Explosive Substances Act, 1908.

3. The allegation against the petitioner is that on 18.03.2015 at 8.35 p.m., he along with the other two accused, hurled bomb on the house of the de facto complainant, thereby causing severe damage to the house, which has resulted in a wrongful loss of ₹30,000/- to the de facto complainant. The petitioner has been in custody for the period from 27.03.2015 onwards.

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

5. Even though two other accused have also allegedly participated in the act along with the petitioner, they have not been identified so far. No criminal antecedents have been reported against the petitioner. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody, I am satisfied that the petitioner can be enlarged on bail by making a provision for compensating the loss sustained to the de facto complainant.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his 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 petitioner shall deposit ₹30,000/-*

before the court below within fifteen days from today.

(ii) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 15.04.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

(iv) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(v) The 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)

aks/08/04

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PA to Judge