

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

Bail Appl..No. 2009 of 2015 ()

CRIME NO. 340/2015 OF KUTHUPARAMBA POLICE STATION , KANNUR

PETITIONERS/ACCUSED NOS. 1 AND 2 :

- 1. RAJESH K. AGED 29 YEARS,
S/O. RAGHAVAN, RAJESH NIVAS,
KANDAMKUNNU, AYITHARA MAMBARAM P.O.,
KANNUR DISTRICT.**
- 2. P.VIJESH KUMAR, AGED 33 YEARS,
S/O. HAREENDRAN, PILAKKANDIYIL HOUSE,
KANDAMKUNNU, AYITHARA MAMBARAM P.O.,
KANNUR DISTRICT.**

BY ADV. SRI.K.P.HARISH

RESPONDENTS/STATE & COMPLAINANT :

- 1. STATE OF KERALA, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682031.**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO. 340 OF 2015 OF KUTHUPARAMBA
POLICE STATION) KANNUR DISTRICT - 670001**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B. KEMAL PASHA, J.

.....
B.A. No.2009 of 2015
.....

Dated this the 10th day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.1 and 2 in Crime No.340/2015 of Kuthuparamba Police Station registered for the offences punishable under Sections 341, 294(b), 506(i), 452 and 427 read with Section 34 IPC and Section 9B(1)(b) of the Explosives Act.

3. The allegation against the petitioners is that on 15.02.2015 at 11 a.m. they committed house trespass into the house of the de facto complainant and abused his mother and intimidated the de facto complainant by catching on his shirt collar. Thereafter, on 18.02.2015 they hurled an explosive substance on the compound wall of the house of the de facto complainant, thereby causing an explosion, which has resulted in wrongful loss of ₹1,000/- to the de

facto complainant. Petitioners have been in custody for the period from 16.03.2015 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. 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 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 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) Each of the petitioners shall deposit ₹500/- 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 17.04.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

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

(v) 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/10/04

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PA to Judge