

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Bail Appl..No. 3845 of 2015 ()

CRIME NO. 534/2015 OF PAYYANNUR POLICE STATION, KANNUR DISTRICT

PETITIONERS/ACCUSED NOS. 1 TO 3 :

1. VISHOBH V.,
AGED 22 YEARS, S/O. VIJAYAN K.,
KANNADA HOUSE, KANDOTH, PAYYANNUR,
KANNUR DISTRICT.
2. KAPIL E.,
AGED 23 YEARS, S/O. KAMALAKSHAN E.,
ETTAMMAL HOUSE, KANDOTH, PAYYANNUR,
KANNUR DISTRICT.
3. SANOOP K.,
AGED 22 YEARS, S/O. PADMANABHAN,
KANNADA HOUSE, AMBALATHARA
P.O. KANDOTH, PAYYANNUR,
KANNUR DISTRICT.

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/COMPLAINANT & STATE :

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. THE STATION HOUSE OFFICER,
CRIME NO.534/2015 OF PAYYANNUR POLICE STATION
KANNUR DISTRICT - 670 001.

R1 & R2 BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3845 of 2015

Dated this the 10th day of July 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.1 to 3 in Crime No.534 of 2015 of Payyannur Police station registered for the offences under Secs.436 and 457 read with Sec.34 of the Indian Penal Code. The prosecution case is that at 4.30 in the morning on 15.04.2015, they set fire to the shop belonging to the informant's father causing him a loss of Rs.4 lakhs.

3. Heard both sides.

4. The petitioners have been in custody since 26.05.2015. Further detention of the petitioners is not necessary for effective investigation. So I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

1. The petitioners will be released on bail on his executing a bond for Rs.50,000/- (Rupees one lakh only) each with two solvent sureties

each for the like sum to the satisfaction of the learned Magistrate concerned.

2. They shall appear before the investigating officer between 10.30 a.m and 11.30 a.m. on every Friday for six months, or till the final report is filed, whichever is earlier.

3. The petitioners shall deposit Rs.1 lakh before they are releasing on bail or furnish bank guarantee or demand draft for the said amount.

4. The petitioners shall not enter the territorial limits of Payyannur Police station till the conclusion of the trial except for complying with the direction in this order or with the previous permission of the learned Magistrate.

5. The petitioners shall surrender their passport before the lower court concerned or if they do not have the same, file affidavits to that effect.

6. The petitioners shall not leave India without the previous permission of the court of

enquiry or the trial court concerned as the case may be.

7. The petitioners shall not destroy or tamper with evidence.

8. The petitioners shall not intimidate or attempt to influence the witnesses.

9. The petitioners shall not get themselves involved in any other criminal case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy/

NS

P.A. To Judge