

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl..No. 4865 of 2015 ()

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CRIME NO. 1309/2014 OF POONTHURA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

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PETITIONER/2ND ACCUSED:

**M.K. SUDHEER, AGED 33 YEARS,
S/O.MAHEENKANNU, T.C.46/242,
NEAR PARUTHIKUZHI JUMA MASJID, PALLITHERUVU,
PUTHENPALLI WARD, MUTTATHARA VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.ANOOP (MULAVANA).

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4865 of 2015

Dated this the 20th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.1309 of 2014 of Poonthura Police station registered for the offences under Secs.285, 304 and 337 read with Sec.34 of the Indian Penal Code and Secs.3 and 7 of the Essential Commodities Act. The prosecution case is that in violation of the provisions in the Essential Commodities Act, the petitioner stored 20 gas cylinders in the house of the co-accused and as a result of the negligent handling of the cylinders, they exploded and in the incident one person died, some others sustained injuries and it caused damage to the nearby houses.

3. Heard both sides.

4. The petitioner has been in custody since 20.07.2015. There has been much progress in the investigation. His further detention is not necessary for completion of investigation. So I am inclined to grant his

prayer.

In the result, the bail application is allowed.

1) The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2) He shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

3) He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

4) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

5) He shall not intimidate or attempt to influence the witnesses.

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 /

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P.A. To Judge