

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

Bail Appl..No. 5337 of 2015 ()

CRIME NO. 1624/2014 OF NEDUMANGAD POLICE STATION,
THIRUVANANTHAPURAM.

.....

PETITIONER/A5:

SHAJAHAN, AGED 32 YEARS, S/O.ABDUL VAHID,
SHAHIDA MANZIL, KOTTAMALA, KOKKOTHAMANGALAM,
VELLANAD, THIRUVANANTHAPURAM.

BY ADVS.SRI.SUMAN CHAKRAVARTHY,
SMT.BREJITHA UNNIKRISHNAN.

RESPONDENT/COMPLAINANT - STATE:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

A.HARIPRASAD, J.

B.A No.5337 of 2015

Dated this the 8th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the 5th accused in crime No.1624/2014 of Nedumangad Police Station registered for offences punishable under Sections 143, 147, 148, 149, 427, 450 and 307 r/w Section 27 of Arms Act and Sections 3 and 5 of Explosive Substances Act, 1908.

3. Prosecution case, in short, is that the accused were enemical towards the defacto complainant. They hatched a criminal conspiracy to murder the defacto complainant. On 12-12-2014, at about 11.30 p.m., they formed themselves into an unlawful assembly, armed with deadly weapons and explosive substances and criminally trespassed into the residential house of the defacto complainant, hurled country bombs towards his house and thus created a horrendous situation. Thereafter, they attacked the defacto complainant with a chopper causing

grievous injuries.

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

5. Learned counsel for the petitioner submitted that there is no allegation of any overtact against this petitioner. The petitioner was arrested on 05-08-2015 and is in custody since then.

6. Learned Public Prosecutor submitted that the investigation has advanced to a considerable extent. Considering the nature of offences and the stage of investigation, I find that bail can be granted to the petitioner with following conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Judicial First Class Magistrate Court - II, Nedumangad.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If the petitioner violates any of the above conditions in this bail order, learned Magistrate is hereby empowered to cancel the bail granted to the petitioner after complying with the provisions of law.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

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