

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Bail Appl..No. 6609 of 2015 ()

CRIME NO. 809/2015 OF PANOOR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED NO.1 & 2 :

- 1. MUHAMMED FASAL, AGED 25 YEARS
S/O.ABDULLA, NARIKOTTUMMAL HOUSE,
THRIPPANGOTTUR AMSOM
KADAVATHOOR.**
- 2. IRSHAD A.K., AGED 23 YEARS
S/O.ABDULLA, ARAKKANDIL HOUSE,
THRIPPANGOTTUR AMSOM
KADAVATHOOR.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENT & STATE :

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM-682031
(CRIME NO.809/2015 OF PANOOR POLICE STATION
KANNUR DISTRICT).**

BY SR. PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.6609 of 2015

Dated this the 28th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in Crime No.809 of 2015 of Panoor Police station registered for the offences punishable under Secs.143, 147, 148, 324 and 307 read with Sec.149 of the Indian Penal Code and Secs.3 and 5 of the Explosive Substances Act. Prosecution case in short is that, on 07.08.2015 at about 06.15 p.m., while the defacto complainant and his friend were standing by the side of a road, the accused persons, members of a political outfit, attacked the defacto complainant by using iron pipe and country bombs. The bombs hurled at the defacto complainant caused injuries to him.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Learned counsel for the petitioners submitted that the petitioners are in custody from

20.09.2015 and 21.09.2015 respectively.

5. Learned Public Prosecutor opposed the bail application.

6. There is no materials in the case diary to show that the petitioners are involved in any other case earlier. Considering the stage of investigation and the period of detention of the petitioners, bail is granted to them with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Sessions Judge having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also

be relied on.

iv. The petitioners shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioners shall not enter the local limits of Panoor Police station except for complying with the conditions in the bail order for a period of three months.

vi. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

vii. The petitioners shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /
P.A. To Judge