

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Bail Appl..No. 6706 of 2015 ()

CRIME NO. 1078/2015 OF POOJAPPURA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED :

**SREEJITH UNNI @ UNNI
S/O. VIJAYAKUMARAN NAIR, AGED 23 YEARS, PURAMPOKE
THIRUMALA (T.C 19/124, PUNNAKKAMUKAL, THIRUMALA)**

**BY ADVS.SRI.J.R.PREM NAVAZ
SRI.P.T.SHEEJISH**

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.6706 of 2015

Dated this the 18th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the sole accused in Crime No.1078 of 2015 of Poojappura Police Station registered under Section 4 of the Explosive Substances Act.

3. Prosecution case is that on 06.08.2015 at 17.00 hours, when the Police party went to the house of the petitioner in connection with the investigation of another crime, bombs were found outside his house underneath the stack of fire wood. Petitioner was implicated in the case. He is in custody from 11.09.2015 onwards.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application contending that he is involved in 18 criminal cases and six times he has been booked under the Kerala Anti-social Activities (Prevention) Act, 2007. In answer to this argument, learned counsel contended that due to personal enmity towards the petitioner nurtured by the Police Officers of the Poojappura Police Station, he is implicated in cases without any legal or factual basis.

According to him, out of 18 cases seven cases have been quashed and in two cases, he has been acquitted. Remaining cases, according to the learned counsel, are falsely registered.

Considering the nature of allegations and the fact that the petitioner is in custody from 11.09.2015 onwards, bail is granted to him with following conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- iii. 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.
- iv. He shall not indulge in any offence while on bail.
- v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.
- vi. He shall not leave the limits of Thiruvananthapuram District without the prior permission of the learned Magistrate until final

report is filed.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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