

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

Bail Appl..No. 7643 of 2015

CRIME NO. 1552/2015 OF PAYYANNUR POLICE STATION, KANNUR
.....

PETITIONER(S)/ACCUSED NO.3:

**T.SURESH @ SURA, AGED 33 YEARS,
S/O.NARAYANAN, PERALAM, PERALAM AMSOM,
KOZHUMMAL DESOM, TALIPARAMBA TALUK, KANNUR DISTRICT.**

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

RESPONDENT(S)/COMPLAINANT AND STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO.1552 OF 2014 OF PAYYANNUR POLICE STATION),
KANNUR DISTRICT-670 001.**

BY PUBLIC PROSECUTOR SMT.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
09-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B. SUDHEENDRA KUMAR, J.

Bail Appl. No.7643 of 2015

Dated this the 9th day of December 2015

ORDER

This is an application filed under Sec.439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1552 of 2014 of the Payyannur Police station registered under Secs.143, 147, 148, 447, 435, 436, 307 and 427 read with Sec.149 of the Indian Penal Code and Secs.3 and 5 of the Explosive Substances Act.

3. Prosecution case is that the petitioner along with other accused, in furtherance of their common intention, formed themselves into an unlawful assembly, on 07.12.2014 at 1.20 a.m., armed with deadly weapons and explosives and trespassed into the courtyard of the house of the defacto complainant and set fire the motorcycle and the scooter parked there, after pouring petrol on them. When the defacto complainant came out, the accused persons hurled explosives at the building

causing explosion. The defacto complainant sustained a loss to the tune of Rs.1 lakh in the incident. The petitioner surrendered before the Court on 09.11.2015 and ever since he has been in custody.

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

4. It has been submitted by the learned counsel for the petitioner that the accused nos.7 and 8 were already granted bail as per order dated 09.03.2015 in B.A. No.1228 of 2015 and in the said circumstance, the petitioner is also entitled to be granted bail.

5. It appears from the case diary that the major part of the investigation as regards the petitioner is almost complete.

6. Considering the facts and circumstances of the case, including the fact that accused nos.7 and 8, who were similarly placed as that of the petitioner herein, had been granted bail by this Court, I am inclined to grant bail to the petitioner as well.

In the result, the bail application stands allowed

and the petitioner shall be enlarged on bail on his executing a bond for Rs.45,000/- (Rupees forty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Magistrate and subject to the following further conditions

1. The petitioner shall report before the investigating officer on every Monday between 9.00 a.m. and 11.00 a.m. for six months and thereafter as and when required by the investigating officer in writing to do so.

2. The petitioner shall not get involved in any other offence while on bail.

3. The petitioner shall not enter into the limits of Payyannur Police station for a period of six months without the leave of the learned Magistrate except for the purpose of reporting before the investigating officer as directed above.

4. The petitioner shall not intimidate
or influence the witnesses or in any way
tamper with the investigation.

Sd/-
B. SUDHEENDRA KUMAR
JUDGE

/ True Copy /

NS/09/12/2015

P.A. To Judge