

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

Bail Appl..No. 7789 of 2015

CRIME NO. 496/2015 OF VELLARIKUNDU POLICE STATION, KASARGOD

PETITIONER(S)/ACCUSED 1 & 2:

1. PAVITHRAN K., AGED 32 YEARS,
S/O. NARAYANAN, RESIDING AT KOTTAYIL HOUSE, KARAT,
PARAPPA VILLAGE, KASARAGOD DISTRICT.
2. SUNILKUMAR, AGED 41 YEARS,
S/O. KUNHIRAMAN, RESIDING AT KALLINGAL HOUSE, KARAT,
KANAKAPALLI P.O., PARAPPA VILLAGE, KASARAGOD DISTRICT.

**BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
VELLARIKUNDU POLICE STATION, KASARAGOD DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.7789 of 2015

Dated this the 11th day of December, 2015

ORDER

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

2. Accused 1 and 2 in Vellarikundu Police Station Crime No.496 of 2015 registered for an offence punishable under Section 436 of the Indian Penal Code are the petitioners. They seek bail.

3. Gist of allegation is that on 07.11.2015 petitioners along with other accused with a common intention of committing an offence, entered the compound of the defacto complainant and set fire to a thatched building belonging to him and thereby committed the offence. The loss estimated is ₹5,000/-. Petitioners surrendered before the court on 09.11.2015.

4. Heard both sides.

Considering the nature of offence and the stage of investigation and also that there is likelihood of breach of peace, bail is granted to the petitioners with following conditions:

i. Petitioners shall be released on bail on each one of

them executing a bond for ₹50,000/- (Rupees fifty thousand 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. Petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioners shall not indulge in any offence while on bail.

v. They shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. They shall not enter the limits of Vellarikundu Police Station until the final report is filed except for the purpose of complying with the bail conditions.

vii. Each petitioner shall deposit ₹2,500/- (Rupees two thousand and five hundred only) before the Magistrate concerned within a period of one week from the date of execution of bond.

If any of the above conditions is breached by the

petitioners, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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