

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

Bail Appl..No. 9145 of 2014

CRIME NO.31/2011 OF PUTHENCROZ POLICE STATION

PETITIONER/4TH ACCUSED IN C.P.3/14 OF JFCM COURT, KOLENCHERY:

**DITHIN @ UNNI, AGED 26 YEARS
S/O . DILEEP
DITHIN BHAVAN (NASYATH HOUSE), AIRAPURAM KARA
AIRAPURAM VILLAGE.**

BY ADV. SRI.V.RAJENDRAN (PERUMBAVOOR)

RESPONDENT/STATE & COMPLAINANT IN C.P.3/14 OF JFCM COURT, KOLENCHERRY:

**1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

**2. THE SUB INSPECTOR OF POLICE
PUTHENCROZ POLICE STATION,
PUTHENCROZ P.O., -682308.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B. KEMAL PASHA, J.

.....
B.A. No.9145 of 2014
.....

Dated this the 5th day of January, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 5th accused in Crime No.31/2011 of Puthencruz Police Station registered for the offences punishable under Sections 143, 144 and 120B read with Section 149 IPC and Sections 5 and 6 of the Explosive Substances Act, 1908.

3. The allegation against the petitioner and the other accused is that on 23.11.2014, he along with the other accused formed themselves into an unlawful assembly and he was found in possession of an explosive substance with the common object of causing an explosion for frightening the witnesses in the case. The petitioner has been in custody for the period from 24.11.2014 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Thursdays and Mondays, commencing from 08.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/05/01

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PA to Judge