

K.Pradeepan Vs. State of Kerala

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Court : Kerala

Decided On : Oct-29-2013

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : K.Pradeepan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH TUESDAY, THE 29TH DAY OF OCTOBER 2013 7TH KARTHIKA, 1935 Bail Appl..No. 7172 of 2013 ()
----- CRIME NO. 582/2013 OF CHAKKARAKKAL POLICE STATION, KANNUR PETITIONERS/ACCUSED-1: ----- K.PRADEEPAN, AGED 40 YEARS S/O.KUMARAN, LEELLA NIVAS, PALERRY PO MAMBA, KANNUR DISTRICT. BY ADV. SRI.SUMAN CHAKRAVARTHY RESPONDENT/COMPLAINANT: ----- STATE OF KERALA, REPRESENTED BY ITS PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-10-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: MNS THOMAS P.JOSEPH, J.

===== Bail Application No.7172 of 2013
===== Dated this the 29th day of October, 2013

ORDER

Petitioner is the first accused, in Crime No.582 of 2013 of the Chakarakkal police station (Kannur District) for the offences punishable under Secs. 143, 147, 148, 448 and 427 r/w. Sec. 149 of the Penal Code and Secs. 3 and 5 of the Explosive Substances Act, the allegation being that on 05.07.2013 at about 03:10 a.m., the petitioner and others trespassed into the reading room of a political party and damaged articles and burst bomb causing loss of around Rs.3 lakhs. Petitioner is in custody from 17.10.2013 and seeks bail.

2. Learned counsel submits that the petitioner is not involved in any other case and that he is falsely implicated. It is also submitted that his earlier bail application was rejected by this court allowing him to move the application at a later stage of the investigation. According to the learned counsel, some of the accused are already released on bail. B.A No. 7172 of 2013 2 3. Learned Public Prosecutor has opposed the application.

4. Having regard to the fact that petitioner is in custody from 17.10.2013 and since the petitioner is not reported to be involved in any other case, I am inclined to grant bail and subject to stringent conditions. Resultantly, this application is allowed as under:- Petitioner is granted bail in Crime No.582 of 2013 of the Chakarakkal police station (Kannur District) and will be released, if not required to be detained otherwise on his executing bond for Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for the like sum each to the satisfaction of the learned magistrate subject to the following conditions:- a) The bail bond shall be executed within three weeks from this day. b) One of the sureties shall be a close relatives of the petitioner. c) Petitioner shall report to the Investigating Officer on every Saturday between 10:00 a.m. and 12:00 p.m. Until otherwise ordered by the learned magistrate B.A No. 7172 of 2013 3 (until committal if any, and thereafter by the learned Principal Sessions Judge concerned). d) Petitioner shall report to the investigating officer as and when required for interrogation. e) Petitioner shall not get involved in any offence during the period of this bail. f) Petitioner shall not intimidate/influence the witnesses. g) It is made clear that in case any of the above conditions is violated, it is open to the Investigating Officer to seek cancellation of

the bail granted hereby by moving application before the learned magistrate (until committal if any and thereafter, before the learned Principle Sessions Judge concerned) as held in P.K. Shaji V. State of Kerala (AIR2006 Supreme Court 100).
h) This order granting bail will take effect only from 06.11.2013 since the investigation is not completed. Sd/- THOMAS P.JOSEPH, JUDGE //true copy//
P.A. to Judge Smv

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