

(2021) 03 KL CK 0134
In the High Court Of Kerala
Case No : Bail Application No. 2434 Of 2021

Pranav K

APPELLANT

Vs

SHO, Kannur City Police Station

RESPONDENT

Date of Decision : 12-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Explosives Substances Act, 1883 — Section 3, 5

Citation : (2021) 03 KL CK 0134

Hon'ble Judges : Ashok Menon, J

Bench : Single Bench

Advocate : P.U Shailajan, V. Sreeja

Final Decision : Allowed

Judgement

1. This is an application for regular bail under Section 439 of the Cr.P.C.
2. The applicant is the 4th accused in Crime No.526/2020 of Kannur City Police Station for having allegedly committed the offences punishable under Sections 3 and 5 of the Explosives Substances Act.
3. The prosecution case, in brief, is that on 12.10.2020, at about 12.20 AM, at Uruvachal in Kannur Village, the applicant allegedly exploded explosive substances so as to cause danger to human life and thus committed the offence.
4. The applicant was arrested on 06.02.2021 and remanded to judicial custody. There are a total of four accused in this crime. The applicant and the 2nd accused have been arrested; while accused 1 and 3 are still at large.
5. The applicant states that the allegations are not true and that he has been falsely implicated in this crime. He has no other criminal antecedents and he hails from a respectable family and is a B.Tech. Degree holder seeking job. Hence, prays that he may be released on bail.
6. Heard the learned Counsel for the applicant and the learned Public Prosecutor.

7. The applicant has been in custody from 06.02.2021 and he has no criminal antecedents. Under the circumstances, I find that further incarceration of the applicant may not be necessary.

In the result, the bail application is allowed and the applicant is directed to be released on bail on execution of a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like amount to the satisfaction of the jurisdictional court, on the following other conditions:

- i) He shall appear before the investigating officer as and when called for, and shall co-operate with the trial;
- ii) He shall not attempt to influence or intimidate the witnesses; and
- iii) He shall not get involved in similar offences during the currency of the bail.

In case of breach of any of the bail conditions, the prosecution shall be at liberty to apply for cancellation of the bail before the jurisdictional Court.