

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

Bail Appl..No. 69 of 2015 ()

CRIME NO. 820/2014 OF KONNI POLICE STATION.

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PETITIONERS/ACCUSED NO.1 AND 4:

- 1. AKHIL RAJ, AGED 21 YEARS,
S/O.RAJU, VAZHAVILAYIL HOUSE,
MALLASSERY. P.O., PRAMADOM MURI,
PRAMADOM VILLAGE, MALLASSERY. P.O.,
KONNI TALUK.**
- 2. MANEESH, AGED 22 YEARS,
S/O.MURALEEDHARAN PILLAI, MURALI BHAVAN,
PRAMADOM MURI, PRAMADOM VILLAGE, KONNI TALUK.**

**BY ADVS.SRI.D.KISHORE,
SMT.MINI GOPINATH.**

RESPONDENT/STATE & COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KONNI POLICE STATION,
PATHANAMTHITTA DISTRICT-689 695.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW,J.

Bail application No.69 of 2015

Dated this the 13th day of January, 2015

O R D E R

Petition filed under Section 439(1) Cr.P.C.

2. Petitioners are accused 1 and 4 in C.C. 444/2014 on the file of the Judicial First Class Magistrate Court -II, Pathanamthitta.

3. The allegation is that they have committed the offence under Section 394 IPC.

4. The learned counsel submits that the petitioners are aged about 21 years and they have been in custody for six months and they may be released on bail.

5. Heard both sides.

6. The first petitioner is involved in several cases including robbery and hurt cases. He is being proceeded against under Section 107Cr.P.C. I think it is not proper to release him on bail even though the final report has already been filed.

6. The learned counsel for the petitioners submits that the second petitioner is not involved in any other case. On the other hand, the learned Public Prosecutor submits that he is an accused in Crime No.1317 of 2014 of Pathanamthitta Police Station and it is not safe to release him on bail. Considering the age of the petitioner, I

think a lenient view may be taken so that he may get a chance to reform himself. So he will be released on bail subject to stringent conditions.

In the result, the application is allowed in part.

1. The second petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the trial court.
2. One of the sureties shall be one of his parents.
3. He shall not enter the Konni Taluk except for complying with the conditions of the bail bond and for the purpose of the trial of the case until completion of the trial.
4. He shall not get himself involved in any other criminal case.
5. He shall not intimidate or attempt to influence the witnesses.
6. In case of violation of any of the conditions, the trial court is empowered to cancel the bail in accordance with the law.

The application is dismissed so far as the first petitioner is concerned.

Sd/-

K. ABRAHAM MATHEW, JUDGE

//true copy//

P.A. To Judge

smv