

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

Bail Appl..No. 326 of 2015

**CRIME NO. 1313/2014 OF MANGALAPURAM POLICE STATION ,
THIRUVANANDAPURAM**

PETITIONER(S)/A3:

**SAFEER, AGED 18 YEARS,
S/O.SALIM, STAR MANDIRAM, ALUMMOODU
M.H.S.ROAD, THEKKEVILA MURI, PALLIPPURAM VILLAGE
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE:

**STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KEALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.326 OF 2015
.....

Dated this the 22nd day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the third accused in Crime No.1313/2014 of the Mangalapuram Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 147, 148, 323, 324, 427 and 308 read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioner is that on 13.11.2014 at 8.45 pm, they formed themselves into an unlawful assembly armed with deadly weapons like iron rods, and voluntarily caused hurt to the defacto complainant and his friends by means of deadly weapons. It is also alleged that they had damaged the motorbike of the defacto

complainant thereby causing a wrongful loss of ₹20,000/- to the defacto complainant. The petitioner has been in custody for the period from 13.01.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor. Perused the CD.

5. No criminal antecedents have been reported against the petitioner. The contents of the CD reveal that the investigation of this case is practically over. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of any criminal antecedents on his part, I am of the view 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 ₹1,00,000/- (Rupees one lakh 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 29.01.2015 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

ul/-

[True copy]

P.S. to Judge