

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Bail Appl..No. 405 of 2015

**CRIME NO. 11/2015 OF MEDICAL COLLEGE POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED 2 :

**ARAVIND, AGED 22 YEARS,
S/O.ANITHA & M.S RAVEENDRAN, PALAKUZHI HOUSE, PATTOM,
PLAMOODU, TRIVANDRUM.**

**BY ADVS.SRI.BABU CHERUKARA
SRI.P.A.SALIM**

RESPONDENT(S)/COMPLAINANT :

- 1. SUB INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION,
TRIVANDRUM, PIN- 695 001.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI- 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.405 of 2015
.....

Dated this the 30th day of January, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.11/2015 of Medical College Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 147, 148, 294(b), 506(i), 324 and 308 read with Section 149 IPC.

3. The allegation against the petitioner and other accused is that on 01.01.2015 at 8 p.m., they formed themselves into an unlawful assembly, armed with deadly weapons like sword, chopper, etc., and attacked the *defacto*

complainant with deadly weapons like sword, chopper and knife. It seems that very serious injuries were inflicted all over the body of the *defacto complainant*. The petitioner has been in custody for the period from 07.01.2015 onwards.

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

5. The learned Public Prosecutor has reported that the petitioner is involved in Crime No.1667/2012 of the said police station registered for the offences punishable under Sections 394 and 353 IPC also. The learned counsel for the petitioner has pointed out that the petitioner is an ITI student and he has to attend his examinations right from 09.02.2015 onwards. Considering the serious antecedent on the part of the petitioner, I am of the view that he is not entitled to get any leniency. At the same time, considering the age of the petitioner and having regard to the period undergone by him in custody and also the circumstances pointed out by

the learned counsel for the petitioner, I am of the view that the petitioner can be enlarged on bail in this case also on strict conditions.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹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 Fridays and Tuesdays commencing from 06.02.2015 for a period of six months.

(ii) Except for observing condition No.(i) above and for attending his examinations, the petitioner shall not enter the limits of Thiruvananthapuram district for a period of six months from today.

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

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

(v) 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/30/01

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PA to Judge