

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

Bail Appl..No. 418 of 2015 ()

CRIME NO. 1334/2014 OF KADAKKAVOOR POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT.

.....

PETITIONER/ACCUSED:

SUDHEER @ SUDEVAN, S/O.RAMANKUTTY,
AGED 43 YEARS, CHARUVILAPUTHEN VEEDU,
KANNANKARA, KAVAYOOR, MANAMBOOR VILLAGE,
PRESENTLY RESIDING AT C/O. BABU,
CHARUVILAPUTHEN VEEDU, PANAKKOTTUKONAM,
PARAIKKADA, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN.

RESPONDENTS/STATE/COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. CIRCLE INSPECTOR OF POLICE,
KADAKKAVOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT-695 041.

BY SR. PUBLIC PROSECUTOR SRI.C. RASHEED.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

B.KEMAL PASHA, J.

B.A. No.418 of 2015

Dated this the 28th day of January 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.1334/2014 of Kadakkavoor Police Station, Thiruvananthapuram district registered for the offence punishable under Section 302 of the Indian Penal Code.

3. The allegation against the petitioner is that he, on account of previous enmity towards the deceased, forcibly pushed down the deceased to the spot beneath a running lorry at 3.15 p.m., on 26.11.2014. The lorry ran over the deceased, which has resulted in his imminent death. The petitioner has been in custody for the period from 27.11.2014 onwards.

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

5. It seems that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. Continued detention of the petitioner in custody is not required for the continued investigation of the case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of criminal antecedents on the part of the petitioner, I am satisfied 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 Rs.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 am and 11 am on Wednesdays and Saturdays commencing from 4.1.2015 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**

dl

// True copy //

P.A. to Judge.