

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

Bail Appl..No. 434 of 2015 ()

**CRIME NO. 1904/2014 OF VENJARAMOODU POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED NO.4:-

**RENJITH, AGED 28 YEARS, S/O.REMANAN,
THADATHARIKATHU UTHRAMVEEDU, PALAMKONAM,
PULLAMPARA DESAM, PULLAMPARA VILLAGE,
NEDUMANGAD TALUK, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.R.B.RAJESH

RESPONDENTS/COMPLAINANT:-

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
VENJARAMOODU POLICE STATION,
THIRUVANANTHAPURAM, PIN - 695 003.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B. KEMAL PASHA, J.

.....
B.A. No.434 of 2015
.....

Dated this the 2nd day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 4th accused in Crime No.1904/2014 of Venjaramoodu Police Station registered for the offences punishable under Sections 294(b), 341, 323, 324 and 308 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 25.12.2014 at 4 p.m., they obstructed the vehicle of the *defacto complainant* by using vehicle bearing registration No.KL-21H-306 on the road at Venjaramoodu and A1 abused the *defacto complainant* and hit on his head with a stone. It is alleged that A2 to A4 also assaulted and wrongfully restrained the *defacto complainant*. The petitioner has been in custody for the period from 26.12.2014 onwards.

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

5. The learned Public Prosecutor has reported that the petitioner is a habitual offender involved in three crimes. It seems that bail has been granted to the other accused in the crime. When no specific overt act has been alleged against the petitioner in this case, the 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 and the facts and circumstances of the case, I am of the view that he can be enlarged on bail in this case by imposing stringent conditions, by taking note of his criminal antecedents.

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 Mondays and Thursdays commencing from 09.02.2015 for a period of six months.

(ii) Except for observing condition No.(i) above and for appearing before the court in other cases, the petitioner shall not enter the local 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/02/02

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PA to Judge