

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

Bail Appl..No. 473 of 2015 ()

CRIME NO. 1141/2014 OF KOIPURAM POLICE STATION, PATHANAMTHITTA DISTRICT.

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PETITIONER/ACCUSED NO.4:

**RAHULRAJ, AGED 20 YEARS,
S/O.RAMANANDA PANICKER,
MELEDITHADATHIL HOUSE, PALLADU P.O.,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.S.RAJEEV,
SRI.K.K.DHEERENDRAKRISHNAN,
SRI.V.VINAY.**

RESPONDENT(S):

- 1. SUB INSPECTOR OF POLICE,
KOIPURAM POLICE STATION,
PATHANAMTHITTA DISTRICT- 689 148.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K.ABRAHAM MATHEW, J.

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B.A.No.473 of 2015

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Dated this the 27th day of March, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 4th accused in Crime No.1141/2014 of Koipuram Police Station registered for the offences under Sections 143,144,147,326,323,324 and 308 read with 149 IPC.

3. The allegation is that, the petitioner along with co-accused assaulted the victims causing fracture of the nasal bone of one of the victims. The weapon allegedly used by the petitioner is iron rod. The learned counsel submits that the documents produced by him will prove that this is a false case.

4. Heard.

5. Annexures A2 and A3 produced by the petitioners prove that the victims were admitted to a hospital at 9.15 pm on the date of occurrence as they had sustained injuries in a bike accident. The occurrence in this case allegedly took place at 9.30 pm. Prima facie, there is some truth in the contention of the learned counsel. So I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for ₹25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation between 3pm and 4 pm on the 1st and 3rd Saturdays for three months or till the final report is filed, whichever is earlier.

3) He shall not destroy or tamper with the evidence.

4) He shall not get involves himself in any criminal case while he is on bail.

5) In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

K.ABRAHAM MATHEW, JUDGE

sj