

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

Bail Appl..No. 539 of 2015

CRIME NO. 1688/2014 OF PATHANAMTHITTA POLICE STATION.
.....

PETITIONER/ACCUSED NO.2:

**PRAVEEN KUMAR @ KANNAN, AGED 28 YEARS,
S/O PADMAKUMAR, PUTHENPURACKAL HOUSE,
PUTHANCHANDA VALLIKODE VILLAGE,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

.....
B.A. No.539 OF 2015
.....

Dated this the 13th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.1688/2014 of the Pathanamthitta Police Station, registered for the offences punishable under Sections 342, 324, 307, 120(B), 364, 326, 201 and 506(ii) read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 08.11.2013 they beat the defacto complainant and took him to an uninhabited house belonging to one of the friends of the 3rd accused where he was repeatedly beaten up by A1 and the petitioner thereby causing fracture to the bones of his right leg, right elbow and the left finger. It is alleged that thereafter he was again

taken by a car to a lonely property where also he was subjected to severe beating and torture, by causing injuries, with a knife. The petitioner has been in custody for the period from 24.11.2014 onwards.

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

5. The contents of the CD reveal that the reason for the enmity is that the defacto complainant was allegedly having illicit relationship with the wife of A1. The investigation of this case is over and final report has already been filed. Having regard to the period undergone by the petitioner in custody, 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) Except for observing condition No.(ii) below, the petitioner shall not enter the local limits of the Pathanamthitta Police Station, for a period of six months from today.

(ii) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from 20.02.2015 for a period of six months.

(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

ul/-

[True copy]

P.S. to Judge