

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

Bail Appl..No. 575 of 2015

CRIME NO. 78/2015 OF PUTHOOR POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/ACCUSED 1 AND 2 :

- 1. RATHEESH, AGED 25 YEARS,
S/O.THANKAPPAN, KULATHIL KAROTTU VEEDU,
PARAVILA COLONY, POOVATTUR WEST MURI,
KULAKKADA VILLAGE, KOTTARAKKARA, KOLLAM.**
- 2. SUNIL, AGED 24 YEARS,
S/O.BHASKARAN, CHARUVILA VEEDU, NEAR KATTOORAMBALAM,
POOVATTUR WEST MURI, KULAKKADA VILLAGE, KOTTARAKKARA,
KOLLAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/COMPLAINANT AND STATE :

**STATE REP. BY THE STATION HOUSE OFFICER,
PUTHOOR POLICE STATION, KOLLAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

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B.A. No.575 of 2015

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Dated this the 6th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

The petitioners are A1 and A2 in Crime No.78 of 2015 of the Puthoor Police Station, registered for the offences punishable under Sections 323, 324, 308 and 120B read with Section 34 of the Indian Penal Code.

2. The allegation against the petitioners is that on 18.01.2015 at 5.00 p.m., they attacked the defacto complainant at the Ambedkar Colony, Poovattur, Kulakkada Village. It is alleged that he was hit with a granite stone on his head and he was severely beaten up. He was slapped, kicked down, and stamped. The petitioners have been in custody for the period from 20.01.2015 onwards.

4. Heard learned counsel for the petitioners and the

learned Public Prosecutor.

5. No criminal antecedents have been reported against the petitioners. The contents of the CD reveal that the investigation of this case is practically over. The continued detention of the petitioners in custody is not required for the continued investigation of this case. Matters being so, having regard to the period undergone by the petitioners in custody, the present stage of the investigation and the absence of any criminal antecedents on their part, I am of the view that the petitioners can be enlarged on bail on conditions.

In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on each of them 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) Petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from 13.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) Petitioners shall not tamper with the evidence or influence witnesses.

(iii) Petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(iv) Petitioners 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**

DSV/6/2/15

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PA to Judge