

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

Bail Appl..No. 641 of 2015 ()

**CRIME NO. 66/2015 OF PAYANGADI POLICE STATION,
KANNUR DISTRICT**

PETITIONER/ACCUSED :

**NABEEL P.P. AGED 20 YEARS,
S/O.ABDUL NASER, MATTOOL SOUTH P.O., KANNUR DIST
PIN - 670 302**

BY ADV. SRI.P.G.PRAMOD

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE,
PAZHAYANGADI POLICE STATION, KANNUR DIST
(THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT, OF KERALA, ERNAKULAM)**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

B.A.No.641 of 2015 A

Dated this the 10th day of February 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.66/2015 of Pazhayangadi Police Station, Kannur district registered for the offences punishable under Sections 341, 324, 326 and 308 of the I.P.C.

3. The allegation against the petitioner is that on 20.1.2015 at 8.45 p.m., he beat the de-facto complainant with an iron rod at a Petrol bunk, thereby causing serious injuries. The petitioner has been in custody for the period from 22.1.2015 onwards.

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

5. The learned Public Prosecutor has pointed out that the

petitioner is the accused in Crime No.279/2013 of the same police station registered for the offences punishable under sections 341 and 353 of the I.P.C. and Section 12 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. On going through the contents of the C.D., I do not find any materials to invite the offence under Section 326 of I.P.C. Apart from the loosening of two teeth, there is no allegation that the teeth were fractured. It seems that the investigation of this case is practically over. 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 present stage of investigation, 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.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 am and 11 am on all Tuesdays and Fridays, commencing from 17.2.2015 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

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PA to Judge