

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Bail Appl.No. 779 of 2015

CRIME NO. 1684/2012 OF ADOOR POLICE STATION, PATHANAMTITTA
.....

PETITIONER(S)/ACCUSED:

1. VINOD, AGED 37 YEARS
S/O NANU, VINOD BHAVAN, SETTLEMENT COLONY,
MUNDAPPALLI MURI, PERINGANADU VILLAGE, ADOOR TALUK,
PATHANAMTHITTA.
2. SHIBIU, AGED 24 YEARS,
S/O DEVADAS, SHIBU BHAVAN,
SETTLEMENT COLONY NO.2 MUNDAPPALLI MURI,
PERINGANADU VILLAGE, ADOOR TALUK, PATHANAMTHITTA.
3. VIMOD, AGED 28 YEARS,
S/ O NANU, VINOD BHAVAN, SETTLEMENT COLONY,
MUNDAPPALLI MURI, PERINGANADU VILLAGE, ADOOR TALUK,
PATHANAMTHITTA.

**BY ADVS.SRI.P.SANJAY
SMT.A.PARVATHI MENON**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE CIRCLE INSPECTOR OF POLICE,
ADOOR 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
16-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

.....
B.A. No. 779 of 2015
.....

Dated this the 16th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A2 to A4 respectively in Crime No.1684/2012 of the Adoor Police Station, registered for the offence punishable under Section 304 read with Section 34 of the Indian Penal Code and Section 135(1)(A) of the Electricity Act, 2003.

3. It is alleged that the petitioners, along with the deceased first accused, were engaged in fishing by placing a trap in the water which was directly connected from overhead power line. In that process the first accused became electrocuted. The petitioners have been in custody for the period from 30.12.2014 onwards.

4. Heard learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor has opposed the petition. Perused the CD.

5. No criminal antecedents have been reported against the petitioners. The investigation of this case is practically over. Continued detention of the petitioners in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of any criminal antecedents on their part, this court is of the view that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each 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 petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Mondays and Thursdays commencing from 23.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

(iv) The 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

ul/-

The words “ concerned Judicial First Class Magistrate's Court” occurring in the 5th and 6th lines of the 6th paragraph at page 2 in the final order dated 16.2.2015 in

B.A.No.779 of 2015

-: 4 :-

B.A.No.779/2015 are corrected and substituted as “court below”, as per order dated 25.02.2015 in Crl.M.A.No.1532/2015 in B.A.No.779/2015.

Sd/-
Registrar (Judicial)