

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

Bail Appl..No. 807 of 2015 ()

CRIME NO. 984/2014 OF VATTIYOORKAVU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT

PETITIONER/ACCUSED (IN CUSTODY):

RAJESH @ ERUMA RAJESH, AGED 36 YEARS,
S/O.CHANDRAN, KAMALALAYAM VEEDU,
KAVALLOOR BUNGALVILA BRA-9, PEROORKADA.

BY ADVS.SRI.A.RAJASIMHAN
SRI.K.NIRMALAN

RESPONDENT/STATE:

STATE OF KERALA,
THROUGH THE SUB INSPECTOR,
VATTIYOORKAVU POLICE STATION, THIRUVANANTHAPURAM,
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 20-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

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B.KEMAL PASHA, J.

.....
B.A. No.807 OF 2015

.....
Dated this the 20th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.984/2014 of the Vattiyoorkavau Police Station, Thiruvananthapuram registered for the offences punishable under Sections 294 (b), 308 and 506(ii) of the Indian Penal Code.

3. The allegation against the petitioner is that on 20.08.2014 at 7.30 p.m., he attacked the defacto complainant with a knife and when it was warded off by the defacto complainant, he sustained an injury on his right hand. When the defacto complainant ran away from the spot, he chased him and stabbed on his back with the knife. Petitioner has been in custody for the period from

21.08.2014 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 involved in five other criminal cases involving serious offences. In this case investigation is over and final report has been filed. Even though the petitioner has got criminal antecedents on his part, having regard to the period undergone by the petitioner in custody, I am of the view that, as a last chance, the petitioner can be enlarged on bail in this case, on stringent conditions.

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) The petitioner shall report before the

Investigating Officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from 27.02.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, and appearing before courts, the petitioner shall not enter Thiruvananthapuram District for a period of six months from today.

(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

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[True copy]

P.S. to Judge