

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Bail Appl..No. 1092 of 2015 ()

CRIME NO. 1553/2014 OF PANDALAM POLICE STATION, PATHANAMTHITTA

PETITIONER/ACCUSED :

**AJEESH, AGED 28 YEARS
S/O.ACHUTHAN, AJEESH BHAVAN, ALTHARAPPADU
MEZHUVELI VILLAGE.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENT/STATE :

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM - 682 031
(CRIME NO.1553/2014 OF PANDALAM POLICE STATION
PATHANAMTHITTA DISTRICT).**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B. KEMAL PASHA, J.

.....
B.A. No.1092 of 2015
.....

Dated this the 4th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.1553/2014 of Pandalam Police Station registered for the offence punishable under Section 394 read with Section 34 IPC.

3. The allegation against the petitioner and the 1st accused is that on 11.11.2014 at 7.30 p.m., with a view to committing robbery, they slapped one Varghese Philip on both his cheeks, thereby he fell down, at the Sreevalsam Bar at the western side of the MC Road, Kulanada. Thereafter, they lifted him up and again, beat him severely

and snatched away the purse contained ₹2,700/- from his shirt pocket. The petitioner has been in custody for the period from 11.12.2014 onwards.

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

5. It has been reported that the petitioner is a habitual offender involved in a series of serious criminal cases. It has been reported that the petitioner is the accused in Crime Nos.70/2009, 269/2010, 288/2011, 162/2012, 216/2012, 489/2013 and 683/2011 also of Pandalam Police Station, over and above the present case. It seems that proceedings under Section 107 Cr.P.C. have been initiated against the petitioner. At the same time, any of the crimes noted above does not involve a similar offence of robbery, theft or dacoity. Having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am of the view that, as a last chance, the petitioner can be enlarged on bail in this case

also on strict conditions.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his 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) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 11.03.2015 for a period of six months.

(ii) Except for observing condition No.(i) above or for appearing before the courts, the petitioner shall not enter Pathanamthitta 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.

BA.1092/2015

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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)

aks/04/03

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PA to Judge