

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. 1118 of 2015

CRIME NO. 63/2015 OF POOVAR POLICE STATION, THIRUVANANTHAPURAM DISTRICT.
.....

PETITIONER/1ST ACCUSED:

**ABDULLA, AGED 19 YEARS,
S/O.PAHARUDEEN, THAKKAMUDUKKU,
THEKKETHERUVU, POOVAR,
POOVAR VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.R.GOPAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

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:**

mbr/

B. KEMAL PASHA, J.

.....
B.A. No.1118 of 2015
.....

Dated this the 4th day of March, 2015

ORDER

~ ~ ~ ~ ~

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.63/2015 of Poovar Police Station registered for the offences punishable under Sections 341, 323, 324 and 302 read with Section 34 IPC.

3. The allegation against the petitioner is that on 19.01.2015 at 6.30 p.m. the petitioner, along with the 2nd and 3rd accused, in furtherance of their common intention to commit the murder of deceased Shameer, obstructed the motor bike on which he was riding, on the road, and wrongfully restrained him, after removing the key of the motor bike. It is alleged that the petitioner repeatedly stabbed the deceased with a sharp tipped chopper on his neck, below the chin and back of his head, whereby the

deceased succumbed to the injuries while undergoing treatment at the Intensive Care Unit at the Medical College Hospital, Thiruvananthapuram. The petitioner has been in custody for the period from 22.01.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and 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 ₹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 Wednesdays and Saturdays commencing from 11.03.2015 for a period of six months.

(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)

aks/04/03

// True Copy //

PA to Judge