

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

Bail Appl..No. 1135 of 2015

CRIME NO. 52/2015 OF MEDICAL COLLEGE POLICE STATION , KOZHIKODE

PETITIONER(S)/ACCUSED :

**JALALUDHEEN, AGED 63 YEARS,
S/O.ABDUL RAHMAN, HASHIM MANZIL, THAZHEVAYAL,
MAYANAD, CHELAVOOR AMSOM, KOZHIKODE.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA.TY

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

.....
B.A. No.1135 OF 2015
.....

Dated this the 12th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.52/2015 of the Medical College Police Station, Kozhikode registered for the offence punishable under Section 307 of the Indian Penal Code.

3. The allegation against the petitioner is that on 26.01.2015 at 6.40 pm, while the defacto complainant was observing his *Magrib* prayers at the Mosque, the petitioner came over there with a chopper and by thrusting the weapon as well as his hands through the window he inflicted a cut on the defacto complainant thereby attempting to commit his murder. The petitioner has been in custody for

the period from 31.01.2015 onwards.

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

5. It seems that the defacto complainant has sustained a serious injury. The allegation against the petitioner is very grave and serious. At the same time, no criminal antecedents have been reported against the petitioner. Considering the said aspect and having regard to the period undergone by the petitioner in custody, I am of the view that he can be enlarged on bail 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 ₹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 Thursdays and Mondays commencing from 19.03.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter the local limits of the Medical College Police Station, Kozhikode 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

ul/-

[True copy]

P.S. to Judge