

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

Bail Appl..No. 1145 of 2015

CRIME NO. 10/2015 OF VIDYA NAGAR POLICE STATION , KASARGOD

PETITIONER(S)/2ND ACCUSED:

**MOHAMMED FAISEL K., AGED 19 YEARS
S/O. HANEEF, FIDA MANZIL, NATIONAL NAGAR
P.O. MADHUR, SHIRIBAGILU VILLAGE, KASARGOD.**

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B. KEMAL PASHA, J.

.....
B.A. No.1145 of 2015
.....

Dated this the 10th 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.10/2015 of Vidyanagar Police Station registered for the offences punishable under Sections 341, 323, 324, 294(b), 506(i) and 308 read with Section 34 IPC. The petitioner has been in custody for the period from 08.01.2015 onwards.

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

4. Even though the petitioner has been in custody for the period from 08.01.2015 onwards, the investigation has not been completed in the matter and final report has not been filed so far. Matters being so, this is a case wherein the petitioner is entitled to get compulsive bail under Section 167(2) Cr.P.C. It seems that the petitioner is

a hardened criminal involved in a series of serious criminal offences. Considering the said aspect, the petitioner can be enlarged on bail on strict conditions only.

5. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹50,000/- (Rupees fifty 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 Tuesdays and Fridays commencing from 17.03.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter into Kasaragod 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

BA.1145/2015

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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/10/03

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PA to Judge