

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

Bail Appl..No.1218 of 2015

(CRIME NO.29/2015 OF PATHANAMTHITTA POLICE STATION,PATHANAMTITTA).

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PETITIONER/ACCUSED:

**SURESH,AGED 50 YEARS,S/O.BHASKARAN,
NEDIYAKALAYIL HOUSE,VAZHAMUTTOM EAST P.O,
KOZENCHERRY TALUK,PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.V.SETHUNATH
SRI.V.R.MANORANJAN (MUVATTUPUZHA)**

RESPONDENTS/COMPLAINANT/STATE:

- 1. SUB INSPECTOR OF POLICE,
PATHANAMTHITTA POLICE STATION,
PATHANAMTHITTA DISTRICT,PIN-689 645.**
- 2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM,PIN-682031.**

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

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B.A. No.1218 of 2015

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Dated this the 6th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. The petitioner is the accused in Crime No.29 of 2015 of the Pathanamthitta Police Station, pending investigation for the offences punishable under Sections 447, 294(b), 506(i), 325 and 302 of the Indian Penal Code.

3. The allegation against the petitioner is that on 05.01.2015 at 12.30 p.m., he committed trespass into the courtyard of the house of the deceased, who is the husband of the defacto complainant, and abused the deceased. He pushed down the deceased from the courtyard into a ditch whereby the deceased fell into the ditch, upside down by hitting his head and neck on the stone foundation on the side of the ditch, thereby he sustained severe fracture of the bone of the neck, which has resulted in immense paralysis.

He died on 16.01.2015 on account of the injuries. The petitioner has been in custody for the period from 24.01.2015 onwards.

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

5. It seems that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. Having regard to the period undergone by the petitioner in custody and the present stage of the investigation and especially no criminal antecedents on his part, I am of the view that he can be enlarged on bail on conditions.

In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of 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 13.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(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**

DSV/6/3/15

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P.A. To Judge