

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

Bail Appl..No. 1242 of 2015 ()

CRIME NO. 1635/2014 OF MUNAMBOM POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED :

**SINESH, AGED 42 YEARS, S/O. GOVINDAN,
PADATHUPARAMBIL HOUSE, PALLIPURAM KARA,
PALLIPPURAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.MANSOOR.B.H.

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031
THROUGH STATION HOUSE OFFICER,
MUNAMBOM POLICE STATION, ERNAKULAM DISTRICT.**

BY PUBLIC PROSECUTOR SRI.C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

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B.A. No.1242 of 2015

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Dated this the 9th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. The petitioner is the accused in Crime No.1635 of 2014 of the Munambom Police Station, registered for the offence punishable under Section 302 of the Indian Penal Code.

3. The allegation against the petitioner is that on 16.12.2014 in between 9.30 p.m. and 11.15 p.m., there occurred a wordy altercation between the petitioner and the deceased, who is none other than his brother-in-law, at the courtyard of the house of the petitioner. It culminated in a push and pull. It is alleged that the petitioner has severely assaulted the deceased, whereby the deceased fell down by hitting his head on the floor. It has ultimately paved way to his death. The petitioner has been in custody of the period

from 18.12.2014 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 is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, and considering the facts and circumstances of the case and the present stage of the investigation, and also the absence of any criminal antecedents on his part, I am of the view that the petitioner 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 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 Mondays and Thursdays commencing from 16.03.2015 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

B.A.No.1242 of 2015

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