

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. 1245 of 2015 ()

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CRIME NO. 17/2015 OF ARYANCODE POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

.....

PETITIONER/ACCUSED:

**BINU, AGED 38 YEARS,
S/O.THANKAPPAN, MYLOOR, EDENS COTTAGE,
MOTTALUMMOODU, CHEMBUR, KEEZHAROOR VILLAGE,
THIRUVANANTHAPURAM.**

**BY ADVS. SRI.S.RAJEEV,
SRI.K.K.DHEERENDRAKRISHNAN,
SRI.V.VINAY.**

RESPONDENT & STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031,
(CRIME NO.17/2015 OF ARYANCODE POLICE STATION,
THIRUVANANTHAPURAM DISTRICT).**

BY SR. PUBLIC PROSECUTOR SRI.C. RASHEED.

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

rs.

B. KEMAL PASHA, J.

.....
B.A. No.1245 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 accused in Crime No.17/2015 of Aryancode Police Station registered for the offence punishable under Section 302 IPC.

3. The allegation against the petitioner is that on 06.01.2015 at 7 p.m. while the deceased Sasi was standing in front of the public market at Chembooru, the petitioner rushed to him with a chopper and inflicted three cut injuries on his head with a view to causing his death. On the same day, the deceased succumbed to the injuries while undergoing treatment at the Medical College Hospital, Thiruvananthapuram at 10 p.m. The petitioner has been in custody for the period from 07.01.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Senior Public Prosecutor.

5. 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 Tuesdays and Fridays, commencing from 17.03.2015 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)

aks/10/03

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PA to Judge