

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

Bail Appl..No. 1268 of 2015

CRIME NO. 1221/2014 OF MATTANCHERRY POLICE STATION.
.....

PETITIONER/ACCUSED:

**ASHRAF H., AGED 34 YEARS,
S/O HAMZA, CC NO.7/98,
NEAR CONGRESS HOUSE,
CHAKKAMADOM, MATTANCHERRY.**

**BY ADVS.SRI.ASHIK K.MOHAMMED ALI
SMT.SAJNA T.UMMER
SMT.V.RAIMA RAMESH**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA, REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
MATTANCHERRY POLICE STATION,
ERNAKULAM DISTRICT (THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM).**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

.....
B.A. No.1268 OF 2015

.....
Dated this the 19th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.1221/2014 of the Mattancherry Police Station, registered for the offences punishable under Sections 420 and 376 of the Indian Penal Code. The petitioner has been in custody for the period from 18.12.2014 onwards, in connection with this crime.

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 18.12.2014 onwards, investigation of this case is not over and final report has not been filed in the

matter. Matters being so, the petitioner is entitled to compulsive bail under Section 167(2) Cr.P.C.

5. 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 26.03.2015 for a period of six months.

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