

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Bail Appl..No. 1286 of 2015 ()

CRIME NO. 66/2015 OF NILESWARM POLICE STATION , KASARGOD DISTRICT

PETITIONER/ACCUSED NO.1:

**MADHU.C.C.,
S/O.NARAYANAN.C.S, AGED 42 YEARS,
METTAK HOUSE, PALAYI,
PEROLE VILLAGE, KASARAGOD DISTRICT.**

BY ADV. SRI.M.V.AMARESAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

B.KEMAL PASHA, J.

B.A.No.1286 of 2015 A

Dated this the 11th day of March 2015

ORDER

Petition under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.66/2015 of Nileswaram Police Station registered for the offences punishable under Sections 341,323, 324 and 326 read with Section 34 I.P.C.

2. The allegation against the petitioner and the other accused is that on 31-1-2015 at 11 p.m, A1 to A3 wrongfully restrained the *defacto complainant* and his friends and attacked them. It is alleged that A1 and A2 severely beat the de facto complainant on his face with firewood and the other two accused slapped them with hands.

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

4. Earlier, this petitioner had approached this court with an application seeking anticipatory bail, through B.A. No.802/2015 and the same was dismissed by this Court vide order dated 25.2.2015. Complying with the direction in the said order, the petitioner has surrendered before the Investigating Officer on 2.3.2015 and thereafter, he has been in custody.

5. It seems that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. Considering the present stage of investigation, I do not think that his continued detention is required for the continued investigation of this case. Matters being so, 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 ₹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 am and 11 am on all Wednesdays and Saturdays commencing from 18.3.2015 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

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PA to Judge