

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

Bail Appl..No. 1360 of 2015

CRIME NO. 358/2015 OF KAYAMKULAM POLICE STATION , ALAPPUZHA DISTRICT

PETITIONER(S)/ACCUSED 2 TO 6 :

1. SYAM, AGED 25 YEARS,
S/O.SASIDHARAN, SIVA BHAVANAM, PUTHIYAVILA MURI,
KANDALLOOR VILLAGE.
2. AKHIL G. VAISAKH, AGED 20 YEARS,
S/O.GOPI, DEVI KRUPA VEEDU, PUTHIYAVILA MURI,
KANDALLOOR VILLAGE.
3. RAJESH, AGED 25 YEARS,
S/O.KRISHNAN NAIR, RAJESH BHAVANAM, PUTHIYAVILA MURI,
KANDALLOOR VILLAGE.
4. RENJITH, AGED 27 YEARS,
S/O.BHASKARAN, MUDITHARAYIL VEEDU, PUTHIYAVILA MURI,
KANDALLOOR VILLAGE.

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S)/COMPLAINANTS :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.1360 2015
.....

Dated this the 17th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.2, 3, 4 and 8 in Crime No.358/2015 of Kayamkulam Police Station registered for the offences punishable under Sections 147, 148, 323, 324 and 308 read with Section 149 IPC.

3. The allegation against the petitioners and the other accused is that on 08.02.2015 at 2.30 p.m. they, in furtherance of their common intention, attacked the de facto complainant. It is alleged that the accused made use of sword sticks and inflicted injuries on the head of the de facto complainant. When he ran away, he was chased and cuts

were inflicted on his buttocks and left thigh. The friends of the de facto complainant were also attacked and very serious injuries were inflicted on them. The petitioners have been in custody for the period from 13.02.2015 onwards.

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

5. The investigation of this case, as far as the petitioners is concerned, is practically over. The continued detention of the petitioners in custody is not required for the continued investigation of this case. No criminal antecedents have been reported against the petitioners. Considering all the above, I am of the view that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on each of them 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 petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays commencing from 24.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

(iv) The petitioners 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/17/03

// True Copy //
PA to Judge