

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

Bail Appl..No. 1529 of 2015 ()

**CRIME NO. 1226/2014 OF CHIRAYINKEEZHU POLICE STATION,
THIRUVANANDAPURAM**

PETITIONER/2ND ACCUSED :

**JAYAN @ MAYAVI, AGED 32 YEARS,
S/O.GOPI, LAKSHAM VEEDU, KOATOORKONAM,
MOODAPURAM DESOM, KIZHUVILAM VILLAGE.**

**BY ADVS.SRI.R.MANOJ
SMT.SINDHU MANOJ
SMT.P.M.FAREETHA BANU**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
(ON BEHALF OF SUB INSPECTOR OF POLICE,
CHIRAYINKEEZHU POLICE STATION)**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

.....
B.A. No. 1529 OF 2015

.....
Dated this the 20th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.1226/2014 of the Chirayinkeezhu Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 147, 148, 149, 341, 323, 324, 427 and 308 of the Indian Penal Code.

3. It is alleged that on 20.10.2014 at 4.30 p.m., in connection with a dispute occurred in a tug of war competition, the petitioner along with the other accused formed themselves into an unlawful assembly armed with deadly weapons like iron pipes, chopper etc. and attacked the defacto complainant and attempted to commit culpable

homicide. It is alleged that the defacto complainant was attacked with iron pipe, chopper etc. and injuries were caused to him. The petitioner has been in custody for the period from 27.02.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor. Perused the CD.

5. The learned Public Prosecutor has pointed out that the accused is also involved in six other criminal cases which are relating to theft. This is the first time in which he has become an accused in a case in which hurt is caused to a person. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, I am of the view 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 Fridays and Tuesdays commencing from 27.03.2015, for a period of six months.

(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

ul/-

[True copy]

P.S. to Judge