

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

Bail Appl..No.1609 of 2015

CRIME NO.92/2015 OF RAJAPURAM POLICE STATION,KASARGOD.

..

PETITIONER/ACCUSED NO 2:

**DINOYI DEVASIA,S/O.DEVASIA,AGED 32 YEARS,
PUTHUVETIL HOUSE,PARIYARAM,PANATHUR,
NOW R/A.DAYANA QUARTERS,NEWAR PHC SULLIA,
KARNATAKA STATE**

BY ADV.SRI.M.V.AMARESAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM,PIN-682031**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

.....
B.A. No.1609 of 2015

.....
Dated this the 26th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.92/2015 of the Rajapuram Police Station, Kasaragod registered for the offences punishable under Sections 324, 326, 307, 427 and 506(ii) read with Section 34 IPC.

3. The allegation against the petitioner is that he, along with A1 and A3, had attacked the defacto complainant and his friends and caused injuries and attempted to commit their murder. It is alleged that they were travelling by a car and A1, who drove the car, caused the car to hit on the car by which the defacto complainant and his friends were travelling and thereafter, A3 and the other accused got down

from the car and, by using weapons, attacked the defacto complainant and his friends. The petitioner has been in custody for the period from 04.03.2015.

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

5. Investigation of this case is practically over. 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 and the present stage of investigation, 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 ₹50,000/- (Rupees fifty 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 a.m. and 11 a.m. on all Thursdays and Mondays, commencing from 02.04.2015 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

ul/-

[True copy]

P.S. to Judge