

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

Bail Appl..No. 1673 of 2015 ()

CRIME NO. 187/2015 OF RANNI POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED :

**IYPE M.C @ LAVICHEN, AGED 35 YEARS,
S/O.LATE CHACKO, MAZHAVANCHERIL HOUSE,
MOTHIRAVAYAL, PAZHAVANGADI VILLAGE,
RANNI TALUK, PATHANAMTHITTA DISTRICT**

**BY ADVS.SRI.V.SETHUNATH
SRI.V.R.MANORANJAN (MUVATTUPUZHA)**

RESPONDENT/COMPLAINANT/STATE :

- 1. SUB INSPECTOR,RANNI POLICE STATION,
PATHANAMTHITTA DISTRICT**
- 2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

.....
B.A. No.1673 OF 2015

.....
Dated this the 23rd day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.187/2015 of the Ranni Police Station, Pathanamthitta registered for the offences punishable under Sections 323, 325, 341 and 308 of the Indian Penal Code.

3. The allegation against the petitioner is that on 04.03.2015 at 9.30 pm, he repeatedly kicked below the abdomen of the defacto complainant, thereby causing rupture of his urinary bladder. When he fell down, the petitioner dragged him through the tarred road to a distance

thereby causing serious injuries on the back of his body also. The petitioner has been in custody for the period from 11.03.2015 onwards.

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

5. The learned counsel for the petitioner has pointed out that the mother of the petitioner died on 19.03.2015 and it is the petitioner who has to observe the funeral rites of his mother, and her body is being now kept in the mortuary. Considering the seriousness of the allegations against the petitioner, at present he is not entitled to be released on bail. At the same time, considering the circumstances pointed out by the learned counsel for the petitioner, I am of the view that the petitioner can be enlarged on bail, on strict conditions.

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 Mondays and Thursdays commencing from 30.03.2015 for a period of six months.

(ii) Except for observing condition No.(i) above and for attending the funeral rites of his mother for one day, the petitioner shall not enter Pathanamthitta 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.

ul/-

Sd/- B.KEMAL PASHA, JUDGE

[True copy]

P.S. to Judge