

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937**

**Bail Appl..No. 1720 of 2015 ()**

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CRIME NO. 589/2014 OF MANGALAPURAM POLICE STATION,  
THIRUVANANTHAPURAM.**

**.....**

**PETITIONER/4TH ACCUSED:**

**-----**

**MANOJ, AGED 30 YEARS,  
S/O.MOHANAN NAIR, GIRIJA BHAVAN,  
NEAR AYIRAVALLYPURAM, CHILAMBIL DESOM AZHOOR,  
THIRUVANANTHAPURAM.**

**BY ADV. SRI.M.R.SARIN.**

**RESPONDENTS:**

**-----**

- 1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,  
MANGALAPURAM POLICE STATION, PIN- 695 631.**

**BY PUBLIC PROSECUTOR SRI.SREEJITH. V.S.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 31-03-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**B.KEMAL PASHA, J.**

.....  
B.A. No.1720 of 2015

.....  
Dated this the 31<sup>st</sup> day of March, 2015

**ORDER**

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.589/2014 of the Mangalapuram Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 144, 147, 148, 323, 324, 341, 294(b), 326 and 307 read with Section 149 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner and the other accused is that on 30.05.2014 at 8.30 p.m., they formed themselves into an unlawful assembly armed with deadly weapons like chopper etc. and attacked the defacto complainant and caused very serious injuries on his body

thereby attempting to commit his murder. It is also alleged that another person named Sujith, who was present at the spot, was also attacked and he also sustained injuries in the incident. The petitioner has been in custody for the period from 10.03.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioner. The contents of the CD reveal that the 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, the present stage of investigation and the absence of any criminal antecedents on his part, 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 Tuesdays and Fridays commencing from 07.04.2015 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