

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Bail Appl..No. 1870 of 2015 ()

CRIME NO. 124/2015 OF PAYYAVOOR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED :

**SABU KURIAN,
S/O.KURIAN, AGED 38 YEARS
KOCHU PURAYIL HOUSE, PAYYAVOOR P.O.
VENNAYIKKADAVU, PAYYAVOOR AMSOM,
KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA THROUGH S.H.O.
PAYYAVOOR POLICE STATION, KANNUR DT.-670 633.**

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.1870 of 2015

Dated this the 23rd day of June 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.124 of 2015 of Payyavoor Police station registered for the offences under Secs.326, 341, 427 and 506(i) of Indian Penal Code. The prosecution case is that on 04.03.2015 at 11.00 p.m. the petitioner wrongfully restrained the victim, assaulted him and threatened to cause his death. In the incident the victim lost a watch and a gold chain weighing two sovereigns.

3. Heard both sides.

4. The injuries noted by the doctor were contusion on the left cheek, loss of one tooth and loosening of another tooth. But the wound certificate shows that he had consumed liquor. It is not known what the weapon the petitioner allegedly used. The only external injury was contusion on the left cheek. It

appears that custodial interrogation of the petitioner is not necessary for effective investigation. So I am inclined to grant anticipatory bail to the petitioner.

In the result, the bail application is allowed.

i) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

ii) He shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every day for one week and thereafter on every Friday for four months or till the final report is filed whichever is earlier.

iii) He shall not destroy or tamper with evidence.

iv) He shall not intimidate or attempt to influence the witnesses.

v) He shall not get himself involved in any

other criminal case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge