

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

Bail Appl..No. 1896 of 2015 ()

**CRIME NO. 174/2015 OF HEMAMBIKA NAGAR POLICE STATION,
PALAKKAD DISTRICT**

PETITIONER/1ST ACCUSED :

**VIJAYAKUMAR, AGED 65 YEARS,
S/O. APPU NAIR, "ANUGRAHA"
PUDUPPARIYARAM, OLAVAKKODE,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI**

RESPONDENTS/COMPLAINANT & STATE :

- 1. THE SUB INSPECTOR OF POLICE,
HEMAMBIKA NAGAR POLICE STATION,
PALAKKAD DISTRICT, PIN - 678033.**
- 2. STATE OF KERALA, REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM
KOCHI - 682031.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B. KEMAL PASHA, J.

.....
B.A. No.1896 of 2015
.....

Dated this the 1st day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1<sup>st</sup> accused in Crime No.174/2015 of Hemambika Nagar Police Station registered for the offences punishable under Sections 120B, 465 and 469 read with Section 34 IPC.

3. The crime has been registered on the basis of a private complaint filed by the de facto complainant before the Judicial First Class Magistrate's Court-III, Palakkad, which was referred to the police under Section 156(3) Cr.P.C. The petitioner has been in custody for the period from 04.03.2015 onwards.

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

5. It seems that the offences are bailable. The

continued detention of the petitioner in custody is not required for the continued investigation of this case. No criminal antecedents have been reported against the petitioner. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied 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 ₹25,000/- (Rupees twenty five 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 Wednesdays and Saturdays commencing from 08.04.2015 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)**

aks/01/04

//True copy//

PA to Judge.