

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

Bail Appl..No.1911 of 2015

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

..

PETITIONERS/ACCUSED:

1. **AJI,AGED 31 YEARS,S/O.VIJAYAN,
PAMBANATHU VEEDU,CHILAMBIL CHERUMUTTAM DESOM,
AZHOOR VILLAGE,THIRUVANANTHAPURAM.**
2. **MUKESH @ UMBIDI, AGED 32 YEARS,
S/O.MOHANAN NAIR,GIRIJA BHAVAN,
AYIRAVILLIPURAM CHILAMBIL,
AZHOOR VILLAGE,TRIVANDRUM.**

BY ADV.SRI.M.R.SARIN

RESPONDENTS:

1. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**
2. **THE SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM-695001.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

.....
B.A. No.1911 OF 2015
.....

Dated this the 8th day of April, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A3 and A5 in Crime No.589 of 2014 of the Mangalapuram Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 144, 147, 148, 294(b), 323, 326 and 307 read with Section 149 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioners 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 and attacked the defacto

complainant and his friends and inflicted very serious on them by cutting with the chopper and swords, thereby attempting to commit their murder. The petitioners have been in custody for the period from 17.03.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioners. The contents of the CD reveal that the investigation of this case, as far as the present petitioners are concerned, is practically over. The continued detention of the petitioners in custody is not required for the continued investigation of this case. Matters being so, having regard to the period undergone by the petitioners in custody, the present stage of the investigation and the absence of any criminal antecedents on their part, I am of the view that the petitioners can be enlarged on bail on conditions.

In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on each of them 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) Petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 15.04.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) Petitioners shall not tamper with the evidence or influence witnesses.

(iii) Petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(iv) Petitioners 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