

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

Bail Appl..No. 1973 of 2015

CRIME NO. 434/2015 OF CHENGANNUR POLICE STATION, ALAPPUZHA DISTRICT

PETITIONER(S)/ACCUSED A1 :

**ANU MANOHARAN, AGED 23 YEARS,
S/O.MANOCHARAN, PAVITHA SADANUM,
PERINGALA MURI MULAKUAZHA VILLAGE,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT.**

BY ADV. SRI.AJITH MURALI

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

BY PUBLIC PROSECUTOR SMT.LALZIA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

.....
B.A. No.1973 OF 2015
.....

Dated this the 10th day of April, 2015

ORDER

Petition filed under Section 439 Cr.PC.

2. Petitioner is the 1st accused in Crime No.434/2015 of the Chengannur Police Station, Alappuzha registered for the offences punishable under Sections 323, 324, 308 and 341 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 03.03.2015 at 12 midnight, they attacked the 19 year old son of the defacto complainant and severely beat him with iron rod and sticks thereby causing very

serious injuries. It is also alleged that the young boy was repeatedly kicked on his abdomen and naval thereby causing serious injuries. The petitioner has been in custody for the period from 18.03.2015 onwards.

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

5. The contents of the CD, *prima facie*, reveal the complicity of the petitioner. No criminal antecedents have been reported against the petitioner. 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 Fridays and Tuesdays commencing from 17.04.2015 for a period of three months.

(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.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge