

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. 1978 of 2015

CRIME NO. 469/2015 OF PARAVOOR POLICE STATION, KOLLAM
.....

PETITIONER(S)/1ST ACCUSED:

**JAYAN @ JAYAKUMAR, AGED 37 YEARS,
S/O.VASUDEVAN PILLAI, GOPALAKRISHNA BHAVAN,
AMMARATHU MUKKU, BHOOOTHAKKULAM CHERRY,
BHOOOTHAKULAM VILLAGE, PARAVUR, KOLLAM DISTRICT.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/COMPLAINANT:

**STATE, REPRESENTED BY THE SUB INSPECTOR
OF POLICE, PARAVUR POLICE STATION,
KOLLAM DISTRICT THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

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

msv/

B. KEMAL PASHA, J.

.....
B.A. No.1978 of 2015
.....

Dated this the 10th day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.469/2015 of Paravur Police Station registered for the offences punishable under Sections 143, 147, 148, 294(b), 323, 324 and 308 read with Section 149 IPC.

3. The allegation against the petitioner and the other accused is that on 23.03.2015 at midnight, they formed themselves into an unlawful assembly armed with deadly weapons like knife and they pushed down the de facto complainant and one Shajahan and the petitioner stabbed both of them with a knife and attempted to cause the death of the de facto complainant by stabbing towards his neck, which was warded off by the de facto complainant. The petitioner has been in custody for the period from

27.03.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. 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 Fridays and Tuesdays, commencing from 17.04.2015 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/10/04

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PA to Judge