

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. 1984 of 2015 ()

**CRIME NO. 509/2014 OF VATTAPPARA POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

APPLICANT/2ND ACCUSED :

**PRASANTH, AGED 30 YEARS, S/O. KAMALAN,
VAZHOTTUPOYKA VEEDU, PANTHALAKKODU,
VEMBAYAM VILLAGE, THIRUVANANTHAPURAM**

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENT/COMPLAINANT :

**STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682031.**

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:**

bp

B.KEMAL PASHA, J.

.....
B.A. No.1984 OF 2015
.....

Dated this the 10th day of April, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.509/2014 of the Vattappara Police Station, Thiruvananthapuram registered for the offences punishable under Sections 294(b), 323, 325, 326 and 308 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that, on 26.6.2014 at 4.30 p.m., the first accused hit on the right ear of the defacto complainant with a stone, thereby causing him to fall down and thereafter, he was again hit him with stones. Accused Nos.2 and 3, by sitting on the body of the defacto complainant, fisted him repeatedly and the 4th accused abused the defacto

complainant. 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 or till the filing of the final report in this case, whichever is earlier.

(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