

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

Bail Appl.. No. 2091 of 2015 (B)

AGAINST THE ORDER IN CRL.MP 872/2015 of SESSIONS COURT, KOLLAM
DATED 31-03-2015

CRIME NO. 287/2015 OF PATHANAPURAM POLICE STATION , KOLLAM

PETITIONER/ACCUSED NO.1:

RAJESH, S/O VAMADEVAN PILLAI,
AGED 27 YEARS, SHOBANA VILASOM,
AMBALANIRAPPU, THALAVOOR MURI,
THALAVOOR VILLAGE,
CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.ABDUL JALEEL.A

RESPONDENT:

STATE OF KERALA REP. BY
SUB INSPECTOR OF POLICE, PATHANAPURAM
BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.SHEEBA M.T.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
21-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B.A. No.2091 of 2015

Dated this the 21st day of April, 2015

ORDER

This petition is filed under Section 439 of Cr.P.C. for bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioner is the first accused in Crime No.287 of 2015 of Pathanapuram Police Station. The offences alleged are under Sections 341, 323, 324 and 308 read with Section 34 of IPC. The petitioner was arrested on 18-03-2015. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He is a final year B.A. student. The investigation of the case has progressed much. The de facto complainant and others sustained only minor injuries. The custodial interrogation of the petitioner was already over. The fifth accused in the

case was released on bail. In fact, the de facto complainant and others unleashed violence against the petitioner and others. But, the police has not registered a case in respect of that matter. Learned counsel further submits that the continued custody of the petitioner is not required for completing the investigation.

4. The Case Diary shows that the investigation of the case has progressed much. Learned Public Prosecutor submits that the petitioner has criminal antecedents. She has not disputed the fact that the fifth accused was already released on bail. On considering the facts and circumstances, stage of the investigation and the facts that the petitioner is a B.A. student, fifth respondent was already released on bail and the de facto complainant and others sustained only simple injuries, this Court is satisfied that the petitioner can be granted bail imposing appropriate conditions. Therefore, the petitioner is granted bail subject to the following conditions:-

1)The petitioner shall be released on bail on his

executing a bond for ₹ 25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.

- 2)The petitioner shall report before the Investigating Officer between 9.00 a.m. and 11.00 a.m. on all Mondays for a period of two months.
- 3)The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 4)The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
- 5)The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
- 6)The petitioner shall not commit any similar offence

while on bail.

7)The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH
JUDGE**

kns/-

//TRUE COPY//

P.A. TO JUDGE