

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Bail Appl..No. 2094 of 2015 ()

**CRIME NO. 262/2015 OF VIZHINJAM POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED 2 AND 3:

1. VIJAYAN, AGED 55 YEARS,
S/O.K. MADHAVAN NADAR, VARUTHATTU VEEDU,
PULIYOORKONAM,PAYATTUVILA P.O., KOTTUKAL VILLAGE,
THIRUVANANTHAPURAM.
2. BIJU, AGED 34 YEARS,
S/O. ROBINSON, R.S.B HOUSE, PULIYOORKONAM,
KOTTUKAL VILLAGE, THIRUVANANTHAPURAM.

BY ADV. SRI.R.GOPAN

RESPONDENT(S)/COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.
2. THE SUB INSPECTOR OF POLICE,
VIZHINJAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT - 695 001.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

Bail Appl. No.2094 of 2015

Dated this the 3rd day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Secs.308 and 324 read with Sec.34 of Indian Penal Code. The prosecution case is that they along with the 1st accused assaulted the victim with a knife causing injuries.

3. Heard both sides.

4. Learned counsel submits that the prosecution has no case that the petitioners were armed with weapon or that they used any weapon other than a stone.

5. According to the prosecution, it was the 1st accused who stabbed the first informant. He has already been arrested.

6. In view of the fact that the petitioners did not carry any weapons with them, I am inclined to grant the prayer.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) They shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Thursday for four months or till the final report is filed, whichever is earlier.

3) They shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge