

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

Bail Appl..No. 2117 of 2015

CRIME NO. 581/2015 OF ERAVIPURAM POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/5TH ACCUSED :

**SUJEESH, AGED 20 YEARS,
S/O.SURESH, SUJIN NIVAS, GANDHI NAGAR 11,
VADAKKEVILA CHERRY, VADAKKEVILA VILLAGE,
KOLLAM DISTRICT.**

**BY ADVS.SRI.K.SIJU
SRI.S.ABHILASH
SMT.NIMA JACOB**

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.P.MAYA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

BABU MATHEW P. JOSEPH, J.

B.A.No. 2117 of 2015

Dated this the 24th 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 5th accused in crime No.581 of 2015 of Eravipuram Police Station. The offences alleged are under Sections 143, 147, 148, 323, 324 and 308 read with Section 149 of IPC. The petitioner was arrested on 7.4.2015 and produced before the Court. He was remanded to judicial custody. He continues to be in custody. Learned counsel for the petitioner submits that the petitioner is aged 20. He is a degree student. He is innocent of the allegations raised against him. He has no criminal antecedents. The 4th

accused in this case was already granted bail. No serious overt act has been alleged against the petitioner. Investigation of the case is almost over. She further submits that the continued custody of the petitioner is not required for completing the investigation.

4. Learned Public Prosecutor, on instructions, submits that the investigation of the case has progressed much. The age of the petitioner and the fact that the petitioner is a degree student were not disputed by her. On considering the facts and circumstances, stage of the investigation, age of the petitioner and the facts that no criminal antecedents have been reported against the petitioner and the 4th accused was already granted bail, this Court is satisfied that the petitioner can be granted bail imposing appropriate conditions.

5. 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 Rs.25,000/- (Rupees twenty five 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 a.m. and 11 a.m. on all Thursdays for a period of two months.

4) 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.

5) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

6) The petitioner shall not influence or intimidate the prosecution witnesses nor

shall he attempt to tamper with the evidence for the prosecution.

7) The petitioner shall not commit any similar offence while on bail.

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

This application is allowed as above.

Sd/-

BABU MATHEW P. JOSEPH, JUDGE.

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P.A TO JUDGE

DG