

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

Bail Appl..No. 2244 of 2015 ()

**CRIME NO. 449/2014 OF CHIRAYINKEEZHU POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/4TH ACCUSED :

**SANAL, AGED 30 YEARS,
S/O.SUDEVAN, KAKKAVILA VEEDU, EDANIMOOLA,
SASTAVATTOM, THIRUVANANTHAPURAM.**

**BY ADVS.SMT.H.SAJANA
SRI.LIJU. M.P**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE,
CHIRAYINKEEZHU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

Bail Appl. No.2244 of 2015

Dated this the 28th day of May 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 4th accused in Crime No.449 of 2014 of the Chirayinkeezh Police station registered for the offences under Secs.109, 324, 326 and 307 read with Sec.34 of the Indian Penal Code and Sec.27 of the Indian Arms Act. The allegation is that the first informant was in love with the daughter of the 5th accused which he did not like. So he hired the co-accused to assault the 1st informant. Consequently, the co-accused assaulted the 1st informant with weapons like sword.

3. Heard both sides.

4. Learned counsel for the petitioner submits that the only allegation against the petitioner is that he was the driver of the taxi car in which the other accused reached the place of occurrence.

5. It is true that there is no specific allegation against the petitioner that he took part in the assault. So I am inclined to grant him anticipatory bail.

In the result, the bail application is allowed.

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

2) He shall appear before the Investigating Officer between 3.00 p.m. and 4.00 p.m. on every Friday in June 2015.

3) He 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 /

NS

P.A. To Judge