

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYASHTA, 19372

Bail Appl..No. 2419 of 2015 ()

**CRIME NO. 483/2015 OF PAYYANNUR POLICE STATION,
KANNUR DISTRICT**

PETITIONER/ACCUSED NO.2 :

**BRITTO K., AGED 32 YEARS,
S/O JOHN NETTO AND JESINTHA, KALLOORIKATH,
KARANTHAD, RANANTHAL P, O, KANNUR DISTRICT**

BY ADV. SRI.UNNI. K.K. (EZHUMATTOOR)

RESPONDENTS :

- 1. SUB INSPECTOR OF POLICE,
PAYYANNUR POLICE STATION, KANNUR DISTRICT**
- 2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

.....
B.A. No. 2419 of 2015
.....

Dated this the 25th day of May, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.483 of 2015 of Payyannur Police Station registered for the offences under sections 341, 323, 324, 354, 308 r/w 34 of IPC.

3. The allegation is that he along with the first accused assaulted the first informant's son with hand and with a piece of wood. Learned counsel submits that there is no allegation that the petitioner assaulted the victim.

4. Heard.

5. The First Information Statement shows that there is no allegation that the petitioner used any weapon or assaulted the victim. The first accused has already been arrested. It appears that custodial interrogation of the petitioner is not necessary for effective investigation.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs. 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 for interrogation if he is so required by him in writing.

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

DST

//True Copy//

P.A. o Judge