

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

Bail Appl..No. 2760 of 2015

CRIME NO. 1310/2015 OF ALUVA POLICE STATION , ERNAKULAM DISTRICT

PETITIONER(S)/ACCUSED NO.3 :

**ABDUL RAZAK, AGED 47 YEARS,
S/O.MUHAMMED, MUPPIRICKAL HOUSE,
KURIKKOTHU KADAVU ROAD, KUNJUNNI KARA, KADUNGALLOOR,
ERNAKULAM DISTRICT, PIN- 683 108.**

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE S.I.OF POLICE (CRIME NO.1310/15),
ALUVA EAST POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.2760 of 2015

Dated this the 21st day of May, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1310 of 2015 of the Aluva East Police station registered for the offences under Secs.452, 114, 326 and 307 read with Sec.34 of the Indian Penal Code.

3. The allegation is that, he along with co-accused, who are his brothers, trespassed into the house of the victim and assaulted him with an iron rod in an attempt to commit his murder.

4. Heard both sides.

5. The prosecution has no case that the petitioner did any overt act. Only the first accused assaulted the victim. There is only a bald allegation that the petitioner also was present in the property. He has been in custody since 03.05.2015. His further detention is not necessary for effective investigation.

In the result, this bail application is allowed.

1. The petitioner will 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 learned Magistrate concerned.

2. He shall appear before the investigating officer between 11 a.m and 12 noon on all the 2nd and 4th Tuesdays for three months, or till the final report is filed, whichever is earlier.

3. He shall not threaten or attempt to influence the witnesses, nor shall he get himself involved in any criminal case.

4. He shall not destroy or attempt to destroy the evidence or interfere with the investigation.

If the petitioner violates any of the above conditions, the court of enquiry/trial 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