

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

Bail Appl..No. 3358 of 2015

CRIME NO. 423/2015 OF KOTTAYI POLICE STATION, PALAKKAD DISTRICT.
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APPLICANT/ACCUSED:

**K.V.ANILKUMAR, AGED 44 YEARS,
S/O.VELAN KANDAN, KALLADIKUNNAM,
KARIAMKODE P.O, ANICODE,
ALATHUR, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/COMPLAINANT:

**STATE OF KERALAK,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 3358 of 2015

Dated this the 13th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 294(b), 326 and 341 IPC. The prosecution case is that he assaulted the victim with a piece of bamboo, causing fracture of his left radius.

3. Heard.

4. Learned counsel submits that the weapon has been recovered and detention of the petitioner is not necessary for effective investigation. It is true that the weapon has been recovered. The weapon was only a piece of bamboo. Having regard to the facts of the case, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

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 if he is arrested by the Police in connection with this case.

2)The petitioner shall surrender his passport before the lower court concerned or if he does not have one, he

shall file an affidavit to that effect within five days of his release.

3)He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.

4)He shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every Wednesday for four months or till the final report is filed, whichever is earlier.

5)He shall not intimidate or attempt to influence the witnesses.

6)He shall not destroy or tamper with evidence.

7)He shall not get himself involved in any other criminal case while he is on bail.

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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. To Judge