

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 3567 of 2015 ()

CRIME NO. 336/2015 OF NEDUMKANDAM POLICE STATION, IDUKKI DISTRICT

PETITIONER(S) :

1. **BIBIN**
AGED 22 YEARS, MOOLAYIL HOUSE,
VAIYATHOVALA KARA, IDUKKI DISTRICT.
2. **JINU,**
AGED 30 YEARS,
VAUMPARAMBIL HOUSE
VAIYATHOVALA KARA, IDUKKI DISTRICT.
3. **AMAL**
AGED 22 YEARS, KODIMATTOM HOUSE,
VAIYATHOVALA KARA, IDUKKI DISTRICT.

BY ADV. SRI.K.M.KURIAN

RESPONDENT :

STATE OF KERALA
REPRESENTED BY S.I. OF POLICE
NEDUMKANDAM POLICE STATION
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SMT. REMA R.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3567 of 2015

Dated this the 23rd day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.336 of 2015 of Nedumkandam Police station registered for the offences under Secs.324 and 326 read with Sec.34 of the Indian Penal Code. The prosecution case is that they assaulted the victim with stones and nanjak causing him serious injuries.

3. Heard both sides.

4. The alleged incident happened at 29.11.2014. The victim went to hospital only on 17.12.2014. His wife filed a complaint before the learned Magistrate on 29.04.2015. These are all suspicious circumstances. So I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.50,000/- (Rupees fifty thousand

only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Thursdays for three months or till the final report is filed, whichever is earlier.

3) The petitioners shall surrender his passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

6) The petitioners shall not intimidate or

attempt to influence the witnesses.

7) The petitioners shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioners surrender before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True copy /

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P.A. To Judge