

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 3698 of 2015

CRIME NO. 724/2015 OF KOTTIYAM POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/7TH ACCUSED :

**NANDU @ SREEJESH, AGED 20 YEARS,
S/O.SUDARSANAN NAIR, AKKARAKUNNATH PUTHEN VEEDU,
VADAKKE MYLAKKADU, KANNANALLUR, KOLLAM DISTRICT.**

**BY DR.K.P.SATHEESAN (SENIOR ADVOCATE)
ADV. SRI.ANOOP.V.NAIR**

RESPONDENT(S)/STATE & COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KOTTIYAM POLICE STATION, KOLLAM DISTRICT, PIN-691 571.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-08-2015, ALONG WITH BA.NO.3723 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

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B.A.Nos. 3698 & 3723 of 2015

Dated this the 7th day of August, 2015

COMMON ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.724 of 2015 of Kottiyam Police Station. They are alleged to have committed the offences under Sections 143, 147, 148, 294(b), 324, 326, 307 read with Section 149 of the Indian Penal Code. The prosecution case is that they along with the co-accused formed themselves into an unlawful assembly and assaulted the victim with cricket bats and stumps.

3. Heard.

4. There is no allegation that the petitioners used any weapon. It appears that the assault was not a preplanned one. Having regard to these facts, I am inclined to grant their prayer.

In the result, this application is allowed.

1)The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five 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) They shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
 - 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
 - 4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every alternate Wednesday for three months or till the final report is filed, whichever is earlier.*
 - 5) They shall not intimidate or attempt to influence the witnesses.*
 - 6) They shall not destroy or tamper with evidence.*
 - 7) They shall not get themselves involved in any other criminal case while they are on bail.*
- If the petitioners surrender 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