

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

Bail Appl..No. 3834 of 2015

CRIME NO. 120/2015 OF THAMARASSERY POLICE STATION , KOZHIKODE

PETITIONER(S):

SHAMEER @ ANDAVAN SHAMEER, AGED 34 YEARS,
S/O. KHADAR, VENKANAKKAL HOUSE, THEKKEKUDUKKIL,
KUDIKKILUMMARAM, THAMARASSERY PO, THAMARASSERY TALUK,
KOZHIKODE DISTRICT 673 573.

BY ADVS.SRI.ABU MATHEW
SRI.AJU MATHEW
SRI.BYJU PUTHIYADATH MEETHAL

RESPONDENT(S):

STATE OF KERALA,
THROUGH STATION HOUSE OFFICER,
THAMARASSERY POLICE STATION,
KOZHIKODE DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI - 682031.

BY PUBLIC PROSECUTOR SRI.C.RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 3834 of 2015

Dated this the 6th day of July, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is charged with having committed the offence under Section 302 IPC. The prosecution case is that he assaulted the deceased with a broken soda bottle, causing him serious injuries which led to his death.

3. Heard.

4. Final report has already been filed. The petitioner has been in custody since 05.03.2015. He has fixed place of residence. So, I am inclined to grant his prayer.

In the result, this application is allowed.

1) The petitioner will be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

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)The petitioner shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*
- 5)He shall not enter the territorial limits of Thamarassery Police Station till the conclusion of the trial except with the previous permission of the court concerned.*

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

DST

//True copy//

P.A. To Judge