

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

Bail Appl..No. 3883 of 2015 ()

CRIME NO. 1048/2014 OF KASARAGOD POLICE STATION, KASARAGOD DISTRICT

PETITIONERS/ACCUSED NOS. 7,18 AND 19 :

1. SHYLESH A. @ SHYLU @ SHYLESH ACHARYA
AGED 25 YEARS, S/O.ANANDHAKRISHNA ACHARYA K.
GANGE ROAD, DEVAGUDDE, RD NAGAR
KUDLU, KASARAGOD.
2. VAISAKH G. @ CHIKKU,
AGED 22 YEARS, S/O.GOPALAKRISHNAN, J.P.COLONY
J.P.NAGAR, ANANKOOR, KASARAGOD.
3. RADHAKRISHNAN G.R. @ KUTTA
AGED 21 YEARS, S/O.GOPALAN MANIYANI
NEAR KALIYANGAD ANGANVADI, MEEPUGIRI, KUDLU
KASARAGOD.

BY ADV. SRI.A.ARUNKUMAR

RESPONDENTS/COMPLAINANT & STATE :

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM -682 031.
2. THE STATION HOUSE OFFICER
(CRIME NO.1048 OF 2014 OF KASARAGOD POLICE STATION)
KASARAGOD DISTRICT - 670 001.

R1 & R2 BY PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3883 of 2015

Dated this the 9th day of July 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.7, 18 and 19 in Crime No.1048 of 2014 of Kasaragod Police station registered for the offences under Secs.143, 147, 148, 341, 449, 120B, 153A and 302 read with Sec.149 of the Indian Penal Code. The prosecution case is that the petitioners along with others trespassed into the shop room of the deceased and committed his murder. This was pursuant to a conspiracy entered into between the accused.

3. Heard both sides.

4. The petitioners have been in custody since 13.05.2015. Some of the co-accused have already been granted bail. Further detention of the petitioners is not necessary for completion of investigation. So I am inclined to grant them bail.

In the result, the bail application is allowed.

1. The petitioners will be released on bail on their executing a bond for Rs.50,000/-

(Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. They shall appear before the investigating officer between 10.30 a.m and 11.30 a.m. on every Wednesday for six months, or till the final report is filed, whichever is earlier.

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

4. They shall not enter Kasaragode District till the conclusion of the trial except for complying with the direction in this order or with the previous permission of the court concerned.

5. 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.

6. The petitioners shall not destroy or tamper with evidence.

7. The petitioners shall not intimidate or attempt to influence the witnesses.

8. The petitioners shall not get themselves involved in any other criminal 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.

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

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P.A. To Judge