

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. 3886 of 2015

CRIME NO. 198/2014 OF PULPALLY POLICE STATION , WAYANAD

PETITIONER(S)/ACCUSED:-:

**SABU P.T., AGED 36 YEARS,
S/O.THANKAPPAN, PARAKKAL HOUSE, AMARAKUNI P.O.
PADICHIRA VILLAGE, SULTHANBATHERY TALUK,
WAYANAD DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENTS/STATE:-:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031,
(CRIME NO.198/2014 OF PULPALLY POLICE STATION,
WAYANAD DISTRICT).**
- 2. STATION HOUSE OFFICER,
PULPALLY POLICE STATION, WAYANAD DISTRICT - 673 579,
(CRIME NO.198/2014 OF PULPALLY POLICE STATION,
WAYANAD DISTRICT).**

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:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 3886 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 offence under Section 304 IPC. He and the victim were employees of Kerala State Electricity Board. The deceased was working on the electric line after the fuse was removed. The prosecution case is that without ascertaining whether the work was complete or not, the petitioner replaced the fuse, as a result of which the victim died.

3. Heard.

4. The electricity Board conducted an enquiry. The finding was that it was an accident and there was no negligence on the part of the petitioner. It appears that there is a suspicion that the petitioner was responsible for the death of the victim. But as of now, there is no reliable evidence to support the allegation. The incident happened in 2014. Having regard to all these facts, 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 for interrogation if he is so required by him in writing.*
- 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