

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

Bail Appl..No. 4044 of 2015

CRIME NO. 1148/2015 OF THIRUVALLA POLICE STATION, PATHANAMTHITTA DISTRICT.
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PETITIONER/ACCUSED:

**PRAPHATH, AGED 39,
S/O.GOPI, PULIMOOTIL HOUSE,
EDAMANATHARA COLONY,
ERUVELLIPRA, KUTTAPUZHA VILLAGE,
THIRUVALLA.**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE**

RESPONDENT/DE-FACTO COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE S.I OF POLICE,
THIRUVALLA POLICE STATION,
PATHANAMTHITTA DISTRICT,
BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 4044 of 2015

Dated this the 21st day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is said to have committed the offences under Sections 294(b) and 308 of the Indian Penal Code, 1860. The prosecution case is that he assaulted the victim on the chest and neck with a chisel causing incised wounds.

3. Heard.

4. The petitioner has been in custody since 11.06.2015. There has been much progress in the investigation. His further detention is not necessary. So, I am inclined to grant the prayer of the petitioner.

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 appear before the Investigating Officer between 10 a.m and 11 a.m. every alternate Thursdays for four months, or till the final report is filed,

whichever is earlier.

3)He 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.

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

5)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.

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