

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

Bail Appl..No. 4058 of 2015

CRIME NO. 882/2015 OF IRINJALAKUDA POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/ACCUSED :

**PEETHAMBARAN, AGED 63 YEARS,
S/O.KOCHUNNY, MAROTTIKUNNATH HOUSE, KANNIKKARA DESOM,
THAZHEKKAD VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S)/STATE OF KERALA :

**THE STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
IRINJALAKUDA POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

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B.A.No. 4058 of 2015

Dated this the 24th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 307 of the Indian Penal Code, 1860. The accusation is that he assaulted the victim with a chopper on his head in an attempt to murder him.

3. Heard.

4. The victim sustained fracture of the skull. It is submitted that because of the injuries sustained by him, his statement could not be recorded so far. Learned Public Prosecutor opposes the application on that ground. On the other hand, learned counsel has brought to my notice the fact that petitioner is a cancer patient and he has been under treatment at Amrita Hospital. The document shows that he is a stage-II cancer patient. For this reason alone, I am inclined to grant him bail.

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 Friday for three 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.

6)He shall not enter the local limits of Irinjalakuda Police Station, till the conclusion of the trial.

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