

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 4106 of 2015 ()

CRIME NO. 335/2015 OF KILIKOLLOOR POLICE STATION , KOLLAM

PETITIONER(S)/ACCUSED NO. 1, 2 AND 4:

1. SAJIN @ SACHU AGED 20 YEARS
S/O. SAJEEV, SAJI BHAVANAM, KILIKOLLOOR
KOLLAM.
2. RAFI, AGED 24 YEARS
S/O. ABDUL RAHIM, RAMZIA MANZIL, KILIKOLLOOR
KOLLAM.
3. RIYAS, AGED 27 YEARS
S/O. ABDUL RAHIM, RIYAS MANZIL, KILIKOLLOOR
KOLLAM.

BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S

RESPONDENT(S)/STATE:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.
2. SUB INSPECTOR OF POLICE
KILIKOLLOOR POLICE STATION, KILIKOLLOOR
KOLLAM - 691 006.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

dlk

K. ABRAHAM MATHEW, J.

B.A. No.4106 of 2015

Dated this the 23rd day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.335/20105 of Killikolloor Police Station registered for the offences under Sections 341, 294(b), 323, 324, 308 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that they wrongfully restrained the victim, uttered obscene words and assaulted him with a knife in an attempt to murder him.

4. Heard.

5. It is submitted that the first petitioner has already been arrested. According to the prosecution, it was the second petitioner who assaulted the victim with a knife. There is no such accusation against the third petitioner. Having regard to these facts I am inclined to grant the prayer of the third petitioner and reject that of the second petitioner.

In the result, this application is allowed in part.

1. The third petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer between 10 a.m to 11 a.m every Wednesday for four months or till the final report is filed whichever is earlier.

3. He shall not get himself involved in any other criminal case while he is on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not destroy or tamper with evidence.

6. 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.

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

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in

accordance with law.

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

This application is dismissed so far as the first and second petitioner are concerned.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge