

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. 4194 of 2015 ()

CRIME NO. 483/2015 ARAYANCODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/1ST ACCUSED :

**DEEPAK, AGED 28 YEARS,
S/O.DIVAKARAN NAIR, KAILASAM, NEAR MAHADEVA TEMPLE,
OTTSEKHARAMANGALAM VILLAGE, KATTAKKADA TALUK,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)**

RESPONDENTS :

**1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031
THROUGH THE SUB INSPECTOR OF POLICE
ARYANCODE POLICE STATION, THIRUVANANTHAPURAM.**

***ADDL. R2 IMPEADED :**

***2. ADV. M.J. VINOD, AGED 29 YEARS, S/O. MOSA,
THALAKKONAM THALANIRA PUTHEN VEEDU,
VAALIYODU, OTTASEKHARAMANGALAM VILLAGE,
OTTASEKHARAMANGALAMP.O., KATTAKADA TALUK,
THIRUVANANTHAPURAM**

***ADDL. R2 IS IMPEADED AS PER ORDER DT. 22/07/2015 IN CRL.MA. 6931/2015
IN BA 4194/2015**

**R1 BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH
BY ADV. SRI.SHAJIN S.HAMEED**

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

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 4194 of 2015

Dated this the 23rd day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused of having committed the offences under Sections 143, 144, 147, 148, 149, 452, 427, 294(b) and 506(1) of the Indian Penal Code, 1860. The victim is an Advocate. One Ramachandran Nair was assaulted. Though, he lodged a complaint with the Police, no case was registered. So he approached the DYSP. Thereafter, it is alleged that the victim along with Ramachandran Nair went to the Police Station and got a case registered against the petitioner and others. On account of that enmity, the petitioner along with the co-accused trespassed into the victim's house, uttered obscene words, threatened him and committed mischief.

3. Heard.

4. Learned Public Prosecutor submits that the petitioner is involved in two other cases. The particulars are also given. He has been in custody since 01.07.2015. Having regard to the

nature of the allegations in this case, I am of the opinion that his further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

- 1) The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh 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 Wednesday 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.*
- 6) He shall not enter the local limits of Arayancode Police Station, till the conclusion of the trial, except for complying with the direction in this order, or with the previous permission of the learned Magistrate concerned.*

B.A.No. 4194 of 2015

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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