

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Bail Appl..No. 4195 of 2015 ()

CRIME NO. 755/2015 OF SOORANADU POLICE STATION, KOLLAM DISTRICT

PETITIONERS/ACCUSED NO. 2 TO 4 :

- 1. SREEJITH**
AGED 23, S/O.RAJENDRA KURUP, RENJITH BHAVAN
INJAKKADAN, KAKKAKUNNU P.O., KOLLAM.
- 2. CHINJU @ JAYAKUMAR**
AGED 25 YEARS, S/O.VIJAYAN PILLAI,
KOLLATTEKKALLIL HOUSE, INJAKKADAN
KAKKAKUNNU P.O., KOLLAM.
- 3. HARIKRISHNAN**
AGED 23, S/O.RADHAKRISHNAN PILLAI, VILAYIL PUTHANVEEDU
INJAKKADAN, KAKKAKUNNU P.O., KOLLAM.

BY ADVS.SRI.K.R.VINOD
MS.JENCY SUSAN JOSE

RESPONDENT/COMPLAINANT :

STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT. SAREENA GEORGE P.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

K. ABRAHAM MATHEW, J.

B.A. No.4195 of 2015

Dated this the 20th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 341, 294(b), 323, 324, 326, 427 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that they along with the co-accused assaulted the victim with a stone causing him fracture of his bones.

4. Heard.

5. The learned counsel submits that the facts of the case indicate that no weapon was used for the assault. I have perused the First Information Statement. It is specifically stated that the assault was with hands. But the first informant gave a further statement making improvements upon his earlier version. In this version he disclosed that the assailant used a stone. This is a very suspicious circumstance. Having regard to this fact I am inclined to grant the prayer of the petitioners for anticipatory bail.

In the result, this application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the police in connection with this case.

2. They 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. They shall not get themselves involved in any other criminal case while they are on bail.

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

5. They shall not destroy or tamper with the evidence.

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 petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

sd/-

K. ABRAHAM MATHEW
JUDGE