

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. 4272 of 2015

CRIME NO. 975/2015 OF KUNNATHUNADU POLICE STATION , ERNAKULAM

PETITIONER(S)/ACCUSED:

**RAGHAVAN, AGED 49 YEARS,
S/O NARAYANAN THAZHATHEVEDU HOUSE,
MANJANADU KARA, MAZHUVANNOR VILLAGE,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.K.S.ARUN KUMAR
SMT.M.N.MAYA
SMT.RESMI THOMAS**

RESPONDENT(S)COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, 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:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 4272 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 304 of the Indian Penal Code, 1860. He was driver of a vehicle which used to be hired to convey children of St. Thomas L.P. School, Nellad. It is alleged that with the knowledge of the danger involved in the matter he drove the vehicle dangerously, as a result of which, the vehicle ran over a six year old child who had got down from the vehicle; she lost her life.

3. Heard.

4. The case was originally registered for the offence under Section 304A IPC. In the course of the investigation the said Section was deleted and Section 304 IPC was included. The petitioner has been in custody since 03.07.2015. Having regard to the nature of the allegations, I am of the view 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.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 Thursday 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 in Mazhuvannur village for two months.*

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

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P.A. To Judge