

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

Bail Appl..No. 4411 of 2015 ()

CRIME NO. 672/2015 OF IRINJALAKUDA POLICE STATION, THRISSUR DISTRICT

PETITIONERS/ACCUSED 1 AND 4 :

- 1. LAL KRISHNA
S/O.VIDYADHARAN, AGED 23 YEARS
MADATHIKKADAN HOUSE, KANAKAMALA POST
THRISSUR DISTRICT.**
- 2. SYAMKUMAR N.K.,
S/O.KUMARAN, AGED 22 YEARS
NARATTIL HOUSE, VALLIVATTAM POST
THRISSUR DISTRICT.**

BY ADV. SRI.T.PRASAD

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.4411 of 2015

Dated this the 5th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.672 of 2015 of Irinjalakuda Police station registered for the offences under Secs.308, 324 and 341 of the Indian Penal Code. The prosecution case is that they assaulted the two victims with sword and sticks causing incised wound and other injuries.

3. Heard both sides.

4. Learned counsel submits that the allegations against the petitioners are false and the victims sustained injuries when they trespassed into the house of the relative of the first petitioner and broke the window panes. One of the victims sustained an incised wound on the left arm 20x0.4x0.2cms. There was a swelling on the back of his abdomen. The injury sustained by the second victim was a swelling on the left forearm.

5. The doctor was told that they were attacked

by 10 persons. But the First Information Statement, the version is a little different. Having regard to these suspicious circumstance, I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.50,000/- (Rupees fifty 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 10.00 a.m. and 11.00 a.m. every Wednesday for four months or till the final report is filed, whichever is earlier.

3) They shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) They shall not leave India without the previous permission of the court of enquiry or

the trial court concerned as the case may be.

5) They shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

6) They shall not intimidate or attempt to influence the witnesses.

7) They shall co-operate with investigation of the case.

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

/ True Copy /

P.A. To Judge

NS