

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

Bail Appl..No. 4451 of 2015

CRIME NO. 1064/2015 OF CHATHANNOOR POLICE STATION, KOLLAM DISTRICT.
.....

PETITIONER/6TH ACCUSED:

**GOKUL R., S/O. VASANTHA KUMARI G.,
AGED 20 YEARS, THENGUVILA VEEDU,
THZHAM SOUTH, CHATHANNOOR P.O.,
KOLLAM - 691 572.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT/COMPLAINANT:

**STATE,
REPRESENTED BY THE STATION HOUSE OFFICER,
CHATHANNOOR POLICE STATION, KOLLAM 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 03-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.4451 of 2015

Dated this the 3rd day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1064 of 2015 of Chathannoor police station in Kollam District. He is said to have committed the offences under Sections 143, 147, 148, 294(b), 323, 324, 307 read with Section 149 of the Indian Penal Code.

3. The prosecution case is that he along with the co-accused formed themselves into an unlawful assembly and assaulted the victim with sword and iron rods in an attempt to murder him.

4. Heard.

5. The allegation against the petitioner is that he exhorted the co-accused to kill the victim. There is no allegation that he was armed. The learned counsel submits that he is an I.T.I student and he reached the place of occurrence on hearing about the police taking into custody the auto rickshaw belonging to his mother. Taking into

consideration his age and the fact that he was not armed I am inclined to grant the prayer of the petitioner for anticipatory bail.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five 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 Saturday 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 the evidence.

6. He shall surrender his passport before the lower court concerned of 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.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge