

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

Bail Appl..No. 4539 of 2015 ()

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CRIME NO. 499/2015 OF KIDANGOOR POLICE STATION.**

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PETITIONERS/ACCUSED NOS.1 TO 4:

- 1. MOHANAN, S/O.BHASKARAN,
AGED 58 YEARS, MANJAPPALLIKUNNEL HOUSE,
THEKKEMURI.**
- 2. JAYESH MOHAN, S/O.MOHAN,
AGED 26 YEARS, MANJAPPALLIKUNNEL HOUSE,
THEKKEMURI.**
- 3. JAYAN MOHAN, S/O.MOHAN,
AGED 28 YEARS, MANJAPPALLIKUNNEL HOUSE,
THEKKEMURI.**
- 4. SURESH JOSEPH, S/O.SONI, AGED 26 YEARS,
KALAPURAYIL HOUSE, PULIYANNOOR P.O.,
THEKKEMURI.**

BY ADV. SRI.P.C.HARIDAS.

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE,
KIDANGOOR POLICE STATION, KOTTAYAM DISTRICT.**
- 2. PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 4539 of 2015

Dated this the 4th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused of having committed the offences under Sections 341, 323, 324, 506(ii), 294(b) read with Section 34 of the Indian Penal Code. The prosecution case is that they assaulted the victim and his daughter with an iron rod and a piece of wood causing him serious injuries.

3. Heard.

4. The first informant is the father-in-law of the second petitioner. The victim sustained lacerated wound on the left side of the forehead. No other injuries he sustained. It appears that it arose from a family dispute. Having regard to these facts, I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed.

- 1) The petitioners shall be released on bail 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 surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
- 3) They shall not leave India without the previous permission*

of the court of enquiry or trial court, as the case may be.

4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every alternate Wednesday for four months or till the final report is filed, whichever is earlier.

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

6) They shall not destroy or tamper with evidence.

7) They shall not attempt to contact or communicate with the victim and members of his family nor shall they enter the premises in which the victim resides.

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

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

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

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge