

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

Bail Appl..No. 4567 of 2015 ()

CRIME NO. 376/2014 OF VYTHIRI POLICE STATION, WAYANAD DISTRICT

PETITIONER/8TH ACCUSED :

**MANAF M.,
AGED 28, S/O.SAIDALAVI,
MACHINGAL HOUSE, VALIYAPARA
MELMURI, VYTHIRI, WAYANAD DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P.**

RESPONDENTS/COMPLAINANT & STATE :

- 1. THE DEPUTY SUPERINTENDENT OF POLICE
DITRICT CRIME BRANCH OFFICE, MUNDERI,
WAYANAD DISTRICT, PIN - 673121.**
- 2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-682 031.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.4567 of 2015

Dated this the 12th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.376 of 2014 of Vythiri Police station registered for the offences under Secs.143, 147, 148, 306, 323, 324, 341 and 458 read with Sec.149 of the Indian Penal Code. The petitioner is the 9th accused. The prosecution case is that he along with the co-accused assaulted the deceased, manhandled him and abetted him to commit suicide and it resulted in his committing suicide.

3. Heard both sides.

4. The co-accused have been granted bail on the ground that it is doubtful whether the facts of the case would attract the offence under Sec.306 of the Indian Penal Code. The petitioner is also entitled to get the relief.

In the result the bail application is allowed.

1)The petitioner shall be released on bail 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)The petitioner 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.
- 3)He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.
- 4)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.
- 5)He shall not intimidate or attempt to influence the witnesses.
- 6)He shall not destroy or tamper with evidence.
- 7)He shall not get himself involved in any

other criminal case while he is on bail.

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 petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge