

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

Bail Appl.No. 4570 of 2015

CRIME NO. 992/2015 OF KADAKKAL POLICE STATION, KOLLAM
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PETITIONER(S)/5TH ACCUSED:

**BINU KUMAR K., AGED 39 YEARS,
S/O.KOCHUNARAYANAN, PANCHAVADI,
MUTHAYIL, MANCODE P.O., CHITHARA,
KOLLAM DISTRICT.**

BY ADV. SRI.SAJU.S.A

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
PIN - 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
11-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4570 of 2015

Dated this the 11th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.992 of 2015 of Kadakkal Police station registered for the offences under Secs.143, 147, 294(b), 323, 325 and 353 read with Sec.149 of the Indian Penal Code. The prosecution case is that the petitioner along with the co-accused assaulted the victim who is a Civil Police officer and attacked the SHO, Kadakkal Police station causing him serious injuries.

3. Heard both sides.

4. Accused nos.1 to 4 have already been arrested. There is no allegation of the petitioner assaulting the victims even though he is present at the place of occurrence. Having regard to this fact, I am inclined to grant the prayer of the petitioner.

In the result, the bail 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) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. for interrogation on 22.08.2015.

3) He shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

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

7) He 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 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