

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. 4588 of 2015 ()

**CRIME NO. 855/2015 OF PARASSALA POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/ACCUSED :

**AKSHAY S.D., AGED 20 YEARS,
S/O. SIVAPRASAD, DEEPA NIVAS, CHAMAVILA,
KODAVILAKOM, PARASSALA P.O., THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED THROUGH THE SUB-INSPECTOR OF POLICE
PARASSALA POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

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

bp

K. ABRAHAM MATHEW, J.

B.A. No.4588 of 2015

Dated this the 5th day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.855 of 2015 of Parassala Police station registered for the offences under Secs.308, 324 and 341 of the Indian Penal Code. The prosecution case is that he wrongfully restrained the victim and assaulted him with a knife causing him injuries.

3. Heard both sides.

4. The weapon allegedly used by the petitioner is a knife. But the injuries noted on the knee and left hip are lacerated wounds. There was no injury on any vital part. The petitioner is aged only 20 years. Having regard to these facts I am inclined to grant his prayer.

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) He shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Saturday for one month or till the final report is filed, whichever is earlier.

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.

'It is made clear that if recovery is necessary this order is not an impediment for the investigating officer to take him into custody and effect recovery with the permission of the learned Magistrate concerned. '

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge