

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. 4604 of 2015 ()

CRIME NO. 1229/2015 OF THIRUVALLA POLICE STATION, PATHANAMTHITTA DISTRICT

PETITIONER/3RD ACCUSED:

BOBIN P. THOMAS @ UNNI, AGED 37 YEARS,
S/O.THANKACHAN, PLAMTHOTATHIL HOUSE, KOTTOOR P.O.,
KAVIYOOR, THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
THIRUVALLA POLICE STATION, PATHANAMTHITTA DISTRICT,
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.RASHEED

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

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K. ABRAHAM MATHEW, J.

B.A. No.4604 of 2015

Dated this the 5th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1229 of 2015 of Thiruvalla Police Station, Pathanamthitta District. He is accused of having committed the offences under Sections 294(b), 323, 324, 354, 302 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that he along with the co-accused assaulted the victim with an iron rod which resulted in his death.

4. Heard.

5. The specific allegation against the petitioner is that he pushed down the victim. There is no allegation that he was armed or he assaulted the victim with any weapon. He has been in custody since 11.06.2015. The weapon has already been recovered. Having regard to these facts I am inclined to grant the prayer of the petitioner for bail.

In the result, this application is allowed.

1. The petitioner will be released on bail on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. He shall appear before the investigating officer for interrogation if she is so required by him in writing.

3. He shall not threaten or attempt to influence the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

4. 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.

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

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-

K. ABRAHAM MATHEW
JUDGE