

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

Bail Appl..No. 4608 of 2015

CRIME NO. 714/2015 OF VALLIKUNNAM POLICE STATION, ALAPPUZHA DISTRICT.

PETITIONER/ACCUSED NO. 5:

**VISHNU T.SUDHAKAR, AGED 21 YEARS,
S/O SRI. C SUDHKARAN, UTHIRITTATHIYIL,
MANJADITARA, PALLICKAL P.O, BHARANIKAVU,
KAYAMKULAM, ALAPPUZHS DISTRICT.**

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
VALLIKUNNAM POLICE STATION,
ALAPPUZHA DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.4608 of 2015

Dated this the 6th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.714 of 2015 of Vallikunnam Police Station, Alappuzha District. He along with the co-accused is alleged to have committed the offences under Sections 143, 145, 147, 148, 149, 294 (b), 323, 324, 365, 427, 342 and 307 of the Indian Penal Code.

3. The prosecution case is that the accused 12 in number assaulted the victim with iron rods, helmets, bear bottles, reapers and stem of coconut leaf etc causing him serious injuries.

4. Heard.

5. The learned counsel submits that the allegations are false. A perusal of the wound certificate of the victim shows that he is sustained very minor injuries. The learned Public Prosecutor submits that the offences alleged to have been committed by the petitioner include the one under

Section 307 of the Indian penal Code. But it appears that the story narrated by the victim is a highly exaggerated one. So I am inclined to grant the prayer of the petitioner.

In the result, this 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 a.m to 11 a.m every Wednesday for three months or till the final report is filed whichever is earlier.

3. He shall not get himself involved in any other criminal case while he is on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not destroy or tamper with the evidence.

6. 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.

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

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

R.AV

//True Copy//

PA to Judge