

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 4653 of 2015 ()

CRIME NO. 1863/2014 OF ETTUMANOOR POLICE STATION,KOTTAYAM DISTRICT

PETITIONER/ACCUSED NO 1:

**JITHU DAS, AGED 34 YEARS,
LAKHIMPUR DISTRICT , DOCKUVAHANNA , PHITIYAL-1, ASSAM
PRESENTLY RESIDING AT KALAPPURACKAL AGENCIES,
INDUSTRIAL ESTATE, ETTUMANOOR.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM- 682 031 (CRIME NO.1863/2014
OF ETTUMANOOR POLICE STATION,
KOTTAYAM DISTRICT).**
- 2. STATION HOUSE OFFICER,
ETTUMANOOR POLICE STATION,
KOTTAYAM DISTRICT -686 631
(CRIME NO.1863/2014 OF ETTUMANOOR POLICE STATION,
KOTTAYAM DISTRICT).**

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.4653 of 2015

Dated this the 7th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.1863 of 2014 of Ettumanoor Police station registered for the offences under Secs.294(b), 323, 324 and 452 read with Sec.34 of the Indian Penal Code. The prosecution case is that he along with the co-accused trespassed into the victim's house, uttered obscene words and assaulted him with dangerous weapons.

3. Heard both sides.

4. The victim sustained only minor injuries. It is submitted that the petitioner also sustained some injuries. It appears that detention of the petitioner is not necessary for effective investigation.

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. every Thursday for three months 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.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge