

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

Bail Appl.No. 4670 of 2015

CRIME NO. 696/2015 OF MANARCADU POLICE STATION, KOTTAYAM
.....

PETITIONER(S)/2ND ACCUSED:

**O.M.MATHEW @ SUNNY, AGED 63 YEARS,
OTTAPLACKAL HOUSE, MANARCADU KARA, MANARCADU VILLAGE,
KOTTAYAM.**

BY ADV. SRI.M.J.THOMAS

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
MANARCADU POLICE STATION, KOTTAYAM.**
- 2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
KOCHIN-31.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K.ABRAHAM MATHEW, J

B.A.NO.4670 OF 2015

dated this the 12th day of August, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.696 of 2015 of Aralam Police Station. He is alleged to have committed the offences under Sections 308, 324, 323, 448 read with Section 34 of Indian Penal Code.

3. The prosecution case is that he along with the co-accused assaulted the victims with chopper causing them very serious injuries.

4. Heard.

5. There are two victims. They sustained incise wounds. The weapons is said to be a chopper. The learned counsel submits that there is no allegation that the petitioner was armed with any weapon or that he used any weapon. Going by the First Information Statement it was the first accused who assaulted the victims with chopper. The petitioner who is the second accused came to the spot only after the first accused had struck the

victims with a chopper. For this reason 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 and 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