

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

Bail Appl..No. 4701 of 2015 ()

CRIME NO. 781/2015 OF ENATHU POLICE STATION , PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED:

**RAJENDRAN @ RAMESH,AGED 35 YEARS,
S/O.CHANDRAN, PEELIKKODUMELATHIL,
PUTHUSEERIBHAGAM MURI, VAYALA P.O,
ENATHU VILLAGE, PATHANAMTHITTA.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.PIN-682 031**
- 2. SUB INSPECTOR OF POLICE,
ENATHU POLICE STATION, ENATHU,
PATHANAMTHITTA. PIN-689 645**

BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 4701 of 2015

Dated this the 10th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No. 781 of 2015 of Enathu Police Station. He is said to have committed the offences under Sections 323, 341 and 326 read with Section 34 of the Indian Penal Code. The prosecution case is that he wrongfully restrained the victim and assaulted him causing fracture of a bone.

3. Heard.

4. It appears that the incident happened without any pre-planning. The weapon is not a sharp edged weapon. It has been recovered. Detention of the petitioner is not necessary for effective investigation.

In the result, this application is allowed.

1)The petitioner shall be released on bail 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 surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days

of his release.

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

4)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

5)He shall not intimidate or attempt to influence the witnesses.

6)He shall not destroy or tamper with evidence.

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

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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**

DST

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P.A. To Judge