

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. 4714 of 2015

CRIME NO. 992/2015 OF KALLAMBALAM POLICE STATION, KOLLAM.
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PETITIONER(S)/ACCUSED 1 TO 3:

- 1. BINUDARSHAN, S/O.SADASIVAN,
BINU BHAVAN, MAVINMOOD,
KALLAMBALAM P.O,
THIRUVANANTHAPURAM DISTRICT.**
- 2. AMBILY, S/O.CHAKRAPANI,
PRAVEEN SADANAM, MAVINMOOD,
KALLAMBALAM PO,
THIRUVANANTHAPURAM DISTRICT.**
- 3. JAYESH, S/O.JANARDHANAN,
KOCHUKUNNIL VEEDU, NELLIKODE,
VARKALA, THIRUVANANTHAPURAM.**

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
KALLAMBALAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

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

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 4714 of 2015

Dated this the 10th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No. 992 of 2015 of Kallambalam Police Station. They are said to have committed the offences under Sections 294(b), 452, 341, 323, 324, 354(b), 394 and 34 of the Indian Penal Code. The prosecution case is that they trespassed into the house of the victim, wrongfully restrained and assaulted him and outraged the modesty of his daughter and robbed her of a gold chain weighing 1 ½ sovereigns.

3. Heard.

4. The first petitioner is the nephew of the victim. It appears that detention of the petitioners is not necessary for effective investigation.

In the result, this application is allowed.

1)The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with

this case.

- 2) They shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every alternate Wednesday for three months or till the final report is filed, whichever is earlier.*
- 5) They shall not intimidate or attempt to influence the witnesses.*
- 6) They shall not destroy or tamper with evidence.*
- 7) They shall not get themselves involved in any other criminal case while they are on bail.*

If the petitioners surrender 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.

This order is not an impediment for the Investigating Officer

to take the petitioners or any of them into custody to effect the recovery under Section 27 of the Evidence Act.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge