

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

Bail Appl.No. 4778 of 2015

CRIME NO. 833/2015 OF PONNANI POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED:

**RAJEESH,
S/O.MUHAMMED, PONNARAVALLIYIL HOUSE, KANJIRAMUKKU,
MARANCHERY, GURUVAYUR, THRISSUR DISTRICT.**

BY ADV. SRI.SUNNY MATHEW

RESPONDENT(S)/COMPLAINANTS/STATE :

- 1. SUB INSPECTOR OF POLICE,
PONNANI POLICE STATION,
MALAPPURAM DISTRICT - 673 001.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN - 682 031.**

BY PUBLIC PROSECUTOR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
13-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K.ABRAHAM MATHEW, J.

.....
B.A.No. 4778 of 2015

.....
Dated this the 13th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.833 of 2015 of the Ponnani Police Station registered for the offences under Secs.323, 341, 365 read with Section 34 of the Indian Penal Code. The prosecution case is that, the petitioner along with the co-accused abducted the victim, wrongfully restrained and assaulted him.

3. Heard both sides.

4. The First Information Statement was given by the friend of the victim. The case diary reveals that, the statement of the victim has not been recorded.

5. In the light of the above suspicious circumstance, I am inclined to grant the prayer of the petitioner.

6. 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 between 10 a.m. and 11 a.m. on 20th and 26th of August, 2015.
- 5)He shall not intimidate or attempt to influence the witnesses.
- 6)He shall not destroy or tamper with evidence.
- 7)He shall not attempt to contact or communicate with the victim.
- 8)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

AMV/13/08/

/TRUE COPY/

P.A.TO JUDGE