

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl..No. 4988 of 2015 ()

CRIME NO. 314/2006 OF PALODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED 2:

**SUMESH @ KANNAN, S/O. MOHANAN, AGED 35 YEARS,
KUNNUPURATHU VEEDU, KANISSETTLEMENT,
PANNIYOTTUKADAVU, ANAD MURI, PERINGAMALA VILLAGE.**

BY ADV. SMT.M.SANTHI

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.4988 of 2015

Dated this the 20th day of August 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in S.C. No.1602 of 2007. He was released on bail. On his failure to appear before the court, the learned Sessions Judge recorded forfeiture of the bond and issued arrest warrant against him. He was arrested on 13.07.2015 and since then he has been in custody.

3. Heard both sides.

4. Learned counsel submits that the petitioner was met with an accident that is why he could not appear on two posting dates.

5. I think one more opportunity can be given to the petitioner. So I am inclined to grant his prayer.

In the result, the bail application is allowed.

1) The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with

two solvent sureties each for the like sum to the satisfaction of the trial court.

2) He shall surrender his passport before the lower court concerned or if he does not have the one, 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 the trial court concerned as the case may be.

4) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

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

In case of violation of any of the above conditions, the trial court is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE