

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Bail Appl..No. 5301 of 2015 ()

**CRIME NO. 2140/2014 OF TOWN EAST POLICE STATION,
TRISSUR DISTRICT**

PETITIONER/ACCUSED NO.2 :

**ANTONY @ KODALI, AGED 29 YEARS,
S/O.GANESHAN, RAILWAY STATION ROAD, 2/352
VADAPUTHUR, ANNA NAGAR, COIMBATORE - 642 109
TAMILNADU
(PREVIOUS RESIDED NEAR RAILWAY STATION ROAD,
POTHANUR, COIMBATORE, TAMILNADU)**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.M.REVIKRISHNAN
SRI.VIPIN NARAYAN**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.5301 of 2015

Dated this the 4th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the second accused in Crime No.2140/2014 of Thrissur Town East Police Station registered for an offence punishable under Section 302 r/w 34 I.P.C.

3. Prosecution case, in short, is that on 10-07-2014 at about 7.45 p.m., the petitioner along with first accused committed murder of a person by name Sekhar. The petitioner was arrested on 13-03-2015 and is in custody till then. His earlier application for bail B.A No.4297/2015 was dismissed by this Court.

4. Heard the learned for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that although he is hailing from Tamil Nadu, he is prepared to provide local sureties and also a local address. It is also submitted that he is prepared to abide by all the conditions for securing his presence for trial. Final report has already been filed. Considering the facts and

circumstances of the case, I am of the view that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the court concerned, where the Committal Proceedings/ Sessions case is pending.
2. The sureties shall produce documents to establish their identity and solvency. The sureties shall be permanent residents of State of Kerala.
3. The petitioner shall furnish reliable materials to show his local address.
4. The petitioner shall appear before the court on all occasions unless excused by the trial court.
5. The petitioner shall not indulge in any offence while on bail.
6. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the court below is free to cancel bail without referring the matter to this Court.

**A.HARIPRASAD,
JUDGE.**

amk