

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

Bail Appl..No. 5323 of 2015 ()

CRIME NO. 1906/2015 OF KAYAMKULAM POLICE STATION, ALAPPUZHA DISTRICT.

PETITIONER/ACCUSED NO.4.:

**SUJIN MURALI @ MANIKANDAN, AGED 23 YEARS,
S/O.MURALEEDHARAN, KURAVINAL, KAPPILMEKKU MURI,
KRISHNAPURAM VILLAGE, ALAPPUZHA DISTRICT.**

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

RESPONDENTS/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-31.**
- 2. SUB INSPECTOR OF POLICE,
KAYAMKULAM POLICE STATION,
ALAPPUZHA DISTRICT-690 009.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.5323 of 2015

Dated this the 23rd day of September, 2015.

ORDER

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

2. Petitioner is the fourth accused in Crime No.1906/2015 of Kayamkulam Police Station registered for offences punishable under Sections 120B, 115, 143, 147, 148, 341, 324, 326 and 307 r/w Section 149 I.P.C and Section 5(a) r/w Section 27 (1) of the Arms Act.

3. Prosecution case, in short, is that on 05-06-2015 at about 09.50 p.m., due to previous enmity towards the son-in-law of the defacto complainant, the accused Nos.1 to 12 formed themselves into an unlawful assembly armed with deadly weapons attacked son-in-law of the defacto complainant. He sustained a cut injury by using a sword and other serious injuries including fracture of bones.

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

5. Learned counsel for the petitioner submitted that he remains in custody from 04-07-2015 onwards. The investigation has advanced to a considerable extent insofar as this accused is concerned. Considering the facts and circumstances of the case, I find 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 learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

4. The petitioner shall not enter the limits of Kayamkulam Police station for a period of three months except for the purpose of appearing before the court/investigating officer
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 learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge

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