

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5339 of 2015

CRIME NO. 2214/2015 OF KARUNAGAPALLY POLICE STATION, KOLLAM.
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PETITIONER/1ST ACCUSED:

**ZIYAD, S/O.MUHAMMED KUNJU,
AGED 31 YEARS, VILAYIL HOUSE,
KALLELIBHAGAM MURI,
KALLELIBHAGAM VILLAGE,
NOW RESIDING AT HOUSE NO.344/V/
VILAYIL HOUSE, THODIYOOR, KARUNAGAPALLY.**

BY ADV. SRI.M.R.SASITH

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
KARUNAGAPALLY POLICE STATION.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.5339 of 2015

Dated this the 30th day of September 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.2214 of 2015 of Karunagappally Police station registered for offences punishable under Secs.294(b), 452, 427, 324, 326 and 307 read with Sec.34 of the Indian Penal Code and Sec.27 of the Arms Act. The prosecution allegation is that, on 28.07.2015 at 1.30 p.m., the accused, to wreck vengeance against the defacto complainant, trespassed into his house and attacked him with deadly weapons with an intention of committing his murder. The accused inflicted injuries on the scalp of the defacto complainant by cutting with a sword.

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

4. Learned counsel for the petitioner submitted that the petitioner has been in custody since 30.07.2015 and he may be granted bail. It is also submitted that the

petitioner is not involved in any other case.

5. Learned Public Prosecutor submitted that the investigation has advanced to a considerable extent.

Reckoning the entire facts and circumstances, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his 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.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Monday and Thursday until final report is filed.

iv. The petitioner shall surrender his

passport forthwith before the learned Magistrate having jurisdiction or if he does not have the one, file an affidavit to that effect.

v. The petitioner shall not enter the local limits of Karunagappally Police station, except for complying with the directions in this order, for a period of three months.

vi. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /