

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Bail Appl..No. 5401 of 2015 ()

**CRIME NO. 529/2015 OF KOYILANDY POLICE STATION,
KOZHIKODE DISTRICT**

PETITIONER/1ST ACCUSED :

**JIGEESH, AGED 32 YEARS,
S/O.VASU, MUCHUKUNNU.P.O.,
KOYILANDY, KOZHIKODE.**

**BY ADVS.SRI.A.RAJASIMHAN
SRI.K.NIRMALAN**

RESPONDENT/STATE :

**STATE OF KERALA
THROUGH THE SUB INSPECTOR OF POLICE,
KOYILANDY POLICE STATION, KOZHIKODE
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 01-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.5401 of 2015

Dated this the 1st day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.529 of 2015 of Koyilandy Police Station registered for offences punishable under Sections 143, 147, 148, 149, 324, 326 and 308 of the Indian Penal Code.

3. Allegation against the petitioner is that on 27.05.2015 at 9.00p.m. while the defacto complainant and his friends were entering a bar, petitioner picked up quarrel with him and attacked him with deadly weapons like key chain shaped knife and iron rod causing a fracture on his right hand wrist.

4. Heard both sides.

5. Learned Prosecutor submitted that offence under Section 326 of the Indian Penal Code has been deleted subsequently and that the defacto complainant sustained only minor injuries.

Considering the nature of allegations and the facts and circumstances, I am of the view that that custodial interrogation is not necessary. Hence pre-arrest bail is granted to the petitioner with following

conditions:

i. Petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, he shall be released on bail in Crime No.529 of 2015 of Koyilandy Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioner shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

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