

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

Bail Appl..No. 5543 of 2015 ()

CRIME NO. 1201/2015 OF CANTONMENT POLICE STATION. THIRUVANANTHAPURAM.

.....

PETITIONER/1ST ACCUSED:

**VIPIN @ VIJAYAN, AGED 29 YEARS,
S/O.VIJAYAN, TC.24/47, POUNDUKULAM COLONY,
THYCAUD, THIRUVANANTHAPURAM.**

BY ADV. SRI.G.SUDHEER.

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 16-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.5543 of 2015

Dated this the 16th day of September, 2015.

ORDER

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

2. Petitioner is the first accused in Crime No.1201/2015 of Cantonment Police Station registered for offences punishable under Sections 294(b), 341, 323 and 308 r/w Section 34 I.P.C.

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

4. Prosecution case, in short, is that on 08-08-2015 at about 6.30 p.m., the petitioner along with two other accused persons due to their enmity and with an intention to commit culpable homicide of the defacto complainant, abused and attacked him. The petitioner punched him and was hit with a brick on head causing injuries.

5. Petitioner/accused was arrested on 09-08-2015 and he is in judicial custody since then. Considering the facts and circumstances of the case and the stage of investigating, 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.25,000/- (Rupees twenty five 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 indulge in any offence while on bail.
5. 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