

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

Bail Appl..No. 5585 of 2015

CRIME NO. 49/2015 OF POOVAR POLICE STATION, THIRUVANANTHAPURAM DISTRICT.
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PETITIONER/1ST ACCUSED:

**ISMAIL, AGED 30,
S/O.MOHAMMED ABDUL KHADAR,
THEKKEPURATHU VEEDU,
POOVAR DESOM, POOVAR VILLAGE,
THIRUVANANTHAPURAM.**

BY ADV. SMT.RAKHI RAVIKUMAR

RESPONDENT/COUNTER PETITIONER:

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

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.SUDHEENDRA KUMAR, J.

B.A.No.5585 of 2015

Dated this the 18th day of September, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the 1st accused in Crime No.49 of 2015 of Poovar Police Station registered for the offences punishable under Sections 326(A) and 323 r/w Section 34 of the Indian Penal Code.

3. Prosecution allegation is that on 13.01.2015 at about 11.30 a.m., while the *de facto* complainant was watching a stage programme, first accused hit him with a granite stone on his left eye causing severe injuries on him, which subsequently resulted in the impairing of his eye sight. The second and the third accused punched on his back and chest. The petitioner was arrested on 23.07.2015 and ever since he has been in custody.

4. Heard.

5. Learned Public Prosecutor has no serious objection in granting bail to the petitioner. It has been

submitted by the learned Public Prosecutor that the major part of the investigation as regards the petitioner is almost complete.

6. Considering the facts and circumstances of the case including the period of detention of the petitioner, I am inclined to grant bail to the petitioner.

In the result, this petition stands allowed.

The petitioner shall be enlarged on bail on his executing a bond for ₹30,000/- (Rupees thirty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Court of the Judicial Magistrate of First Class-II, Neyyattinkara and subject to the following further conditions:

- (a) The petitioner shall report before the Investigating Officer on every Monday between 09.00 a.m and 11.00 a.m. for a period of three months or until filing of the final report, whichever is earlier.
- (b) The petitioner shall report before the Investigating Officer as and when required for

interrogation.

- (c) The petitioner shall not get involved in any offence while on bail.

Sd/-

B.SUDHEENDRA KUMAR, JUDGE.

AS

/True Copy/

P.A. to Judge