

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5694 of 2015

CRIME NO. 311/2015 OF AMBALATHARA POLICE STATION , KASARGOD

PETITIONER/ACCUSED:

**SAJU. T, AGED 18 YEARS,
S/O. SANKARAN, RESIDING AT KALICHAMARAM, PEROOR,
PULLUR P.O., HOSDURG TALUK, KASARAGOD DISTRICT.**

BY ADV. SRI.T.MADHU

RESPONDENT/STATE:

**THE STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
AMBALATHARA POLICE STATION, KASARAGOD DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. Nos.5694 of 2015

Dated this the 29th day of September 2015

O R D E R

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

2. Petitioner is the 4th accused in Crime No.311 of 2015 of Ambalathara Police station registered for the offences punishable under Secs.143, 147, 148, 452, 341, 326, 308 and 427 read with Sec.34 of the Indian Penal Code. The prosecution case is that on 30.08.2015, the petitioner along with the co-accused formed themselves into an unlawful assembly, armed with deadly weapons, and attacked the defacto complainant causing fracture and other serious injuries.

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

4. Learned counsel for the petitioner submitted that the petitioner is a student and no overt act is alleged against him.

5. Learned Public Prosecutor opposed the bail

application contending that the first accused used an iron rod to attack the defacto complainant.

Reckoning the facts and circumstances of the case, 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. One of his parents or siblings or close relatives shall be an additional surety.

iv. The petitioner shall appear before the trial court on all posting dates without any fail.

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

vi. 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 /

P.A. To Judge

NS