

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 5711 of 2015

CRIME NO. 2710/2015 OF PERUMBAVOOR POLICE STATION, ERNAKULAM

PETITIONER(S)/2ND ACCUSED:

**ROSHAN, AGED 26 YEARS,
S/O.BASHEER, THACHIRUKUDY HOUSE,
PONJASSERY POST,
PERUMBAVOOR, ERNAKULAM DISTRICT.**

BY ADV. SRI.K.S.ARUN KUMAR

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.5711 of 2015

Dated this the 6th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.2710 of 2015 of Perumbavoor Police Station registered for offences punishable under Sections 324, 326 and 341 read with Section 34 of the Indian Penal Code.

3. On 02.07.2015 at 8.00p.m. this petitioner along with first accused attacked the defacto complainant and he sustained injuries in the incident. Prosecution case is that the first accused used a mobile phone and the second accused (petitioner) assaulted the defacto complainant with bare hands.

4. Heard both sides.

5. Wound certificate of the defacto complainant is produced for perusal. It shows that he sustained fractures on face below left eye. However, there is no case that the petitioner used any weapon against the defacto complainant. Hence the following directions are issued:

i. Petitioner shall surrender before the investigating officer within a period of one week 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.2710 of 2015 of Perumbavoor 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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