

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937H

Bail Appl..No. 5721 of 2015

CRIME NO. 1767/2015 OF CHAVARA POLICE STATION, KOLLAM DISTRICT.

PETITIONER/2ND ACCUSED:

**BINANCY BINCY FERIYA, AGED 26,
S/O.YUBALD FERIYA, RESIDING AT MANNASSERIL,
NEAR VAYALIL KADAVU CHAPPAL, KULANGARA BHAGAM,
CHAVARA VILLAGE, KOLLAM DISTRICT.**

**BY ADVS.SRI.S.SREEKUMAR (KOLLAM)
SMT.SHEENAMOL VARGHESE**

RESPONDENT/STATE:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH THE SUB INSPECTOR OF POLICE,
CHAVARA POLICE STATION, KOLLAM DISTRICT.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5721 of 2015

Dated this the 22nd day of September, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.1767 of 2015 of Chavara Police Station registered for offences punishable under Sections 143, 147, 148, 323, 324 and 302 read with Section 149 of the Indian Penal Code.

3. Prosecution case is that on 16.08.2015 the victim was found missing and a case was registered in connection with that incident. Subsequently the investigation revealed that the accused persons had quarreled with the victim and they had attacked him causing injury to his forehead. Active role was played by the second accused in the prosecution case.

4. Heard both sides.

5. Learned Prosecutor submitted that some other accused in the crime have been released on bail by the Sessions Court, Kollam on 19.09.2015.

Considering the stage of investigation and the factum of the

release of co-accused, bail is granted to the petitioner with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Magistrate having jurisdiction.

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

iii. 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.

iv. The petitioner shall not indulge in any offence while on bail.

v. 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.

A. HARIPRASAD, JUDGE.

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